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V O L . I I .

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TREATIES,

TREATIES, &c.

Articles of Peace and Commerce between His Majesty George II. by the Grace of God, King of Great-Britain, &c. and the most Noble Prince Muley Hamet Dahebbi; Ben Muley Ismael, Ben Muley Zeriph, Ben Muley Aley, King and Emperor of the Kingdoms of Fez and Morocco, &c. Concluded Jan. 14, 1727-8.

I. **T**HAT all Moors or Jews, subject to the Emperor of Morocco, shall be allowed a free traffick, viz. to buy or sell for 30 days in the city of Gibraltar, or island of Minorca; and not to reside in either place, but to depart with their effects, without let or molestation, to any part of the said Emperor of Morocco's dominions.

II. That the king of Great-Britain's subjects residing in Barbary, shall not be obliged to appear before the Cadi or Justices of the country; but only the governor of the place, and his Britannick Majesty's consul, are to take cognizance of and adjust the differences they may have with the natives of the country.

III. That the menial servants of his Britannick Majesty's subjects, though natives of the country, either Moors or Jews, be exempt from taxes of all kinds.

IV. That all his Britannick Majesty's subjects, as well passengers as others, taken by any of the Emperor of Fez and Morocco's cruizers, on board any foreign ship or vessel whatever, shall immediately be set at liberty and sent to the city of Gibraltar.

V. That there be permission for buying provisions, and all other necessaries for his Britannick Majesty's fleet, or city of Gibraltar, at any of the Emperor of Fez and Morocco's sea-ports, at the market-prices; and the same to be shipped off without paying custom, as has been extorted lately contrary to the treaty of peace subsisting.

VI. All the other articles being fifteen in number, concluded, agreed and adjusted by the Honourable Charles Steward, Esq; on the behalf of his Britannick Majesty, and by his Excellency Bashaw Hamet, Ben Aly, Ben

Abdalla, and his Imperial Majesty's Treasurer, Mr. Moses Ben Hatter, a Jew, on the behalf of the said King of Fez and Morocco, shall stand good, and be of the same force as in the reigns of the most high and most renowned Prince George I. King of Great-Britain, France and Ireland, &c. of glorious memory, and the high and glorious, mighty and right noble Prince Albumazar Muley Ismael, late Emperor of Morocco. And it is farther agreed that all the articles aforementioned, as well the fifteen as these additional ones, shall in twenty days after the date hereof, be published in the Arabick language, and affixed on the gates of all the sea-port towns in his Imperial Majesty's dominions.

Signed and dated at the court of Mequinez, Jan. 14, 1727-8,

Convention between Spain and Great-Britain relating to the execution of the preliminaries; signed at the Pardo, the 6th of March, 1728. N. S.

WHEREAS certain difficulties have arisen upon the execution of the articles which are called preliminaries, and which were signed at Paris the last day of May, and after at Vienna the 13th of June, 1727, by the ministers respectively furnished with sufficient full powers; and whereas, by a certain declaration made by the Count de Rothemburg, with the consent of all the parties, and approved, the aforesaid difficulties have been happily adjusted; of which declaration, and of the acceptance thereof by his Catholick Majesty, as the same was exhibited and subscribed by the Marquis de la Paz, in his name, and by his command, the tenor hereof follows.

Whereas, since the signing of the preliminaries, certain difficulties have arisen between the contracting parties, in relation to the restitution of prizes that have been taken on either side; and namely, that the Prince Frederick and its cargo, belonging to the South-sea company, has been seized and detained by the Spaniards at La Vera Cruz; which difficulties have delayed the execution of the preliminaries, the exchanging the ratification with Spain, and the open-
ing

ing the congress : his Britannick Majesty, to facilitate matters as much as lies in his power; and to remove all obstacles that obstruct a general pacification, has declared, and given his royal word to the most Christian King, that he will, without delay, send orders to his admirals, Wager and Hofier, or the chief commander in his stead, to withdraw from the seas of the Indies and of Spain; and that he consents that the contraband trade, and other causes of complaint, which the Spaniards may have in relation to the ship Prince Frederick, shall be discussed and decided in the congress; that all the respective pretensions, on each side, shall be produced, debated and decided, whether the prizes taken at sea, on each side, shall be restored; and that his Britannick Majesty will abide by what shall on all this be regulated.

On my part, I promise, in the name of the King my master, by virtue of the orders and full powers which I have received for that purpose, that this discussion, to be made at the congress, shall be faithfully executed; that the exchange of the ratifications shall be performed without delay, and that the congress shall meet, infallibly, and the soonest that shall be possible, according to what shall be agreed by the ministers of the contracting parties who shall happen to be at Paris; provided his Catholick Majesty will give his royal word.

I. To raise, immediately, the blockade of Gibraltar, by sending back the troops to their quarters. by causing the cannon to be drawn off, the trenches to be filled up, and the works made on the occasion of this siege to be demolished, by re-establishing every thing on each side, conformable to the treaty of Utrecht.

II. To send, without delay, his order, clear and express, for delivering up forthwith the ship Prince Frederick, and her cargo, to the agents of the South-sea company, who are at Vera Cruz, that, when they think fit, they may send her to Europe; and to restore the commerce of the English nation in the Indies, according to what is stipulated by the Assiento treaty, and agreed by the second and third articles of the preliminaries.

III. To cause the effects of the Flotilla to be immediately delivered to those to whom they belong; and those of the

Galleons, when they return, as in time of freedom and of full peace, according to the fifth article of the preliminaries.

IV. That his Catholick Majesty does engage, in the same manner as his Britannick Majesty has engaged above, to abide by all that shall be regulated by the abovesaid discussion and decision of the congress.

Given at the Pardo, March 4, 1728.

(L. S.) Rotheimburg.

The under-written Marquis de la Paz declare, by an express order in the royal name of the Catholick King my Master, in consequence of his full power, that his Majesty, out of his constant desire to facilitate the negociations for an universal lasting peace, is come into an acceptation of, and does effectually admit, the proposals lately made by the Count de Rotheimburg, Minister and Plenepotentiary of his most Christian Majesty, according to what is here next above inserted.

In witness whereof, I sign this present declaration, and put thereto the seal of my arms, at the *Pardo, March 5, 1728.*

E. C. Marquis de la Paz.

We the under-written Ministers Plenepotentiary, duly authorized, to the end the above-written declaration and acceptation may obtain the most full force and vigour, have signed this special instrument of consent and approbation, in the name, and by the consent of our respective Masters, and have affixed our Seals thereunto, *March 6, 1729.*

(L. S.) S. S. Co. *Konigsberg.*

(L. S.) *B. Keen.*

(L. S.) *Rothemburg.*

(L. S.) *E. C. Marquis de la Paz.*

(L. S.) *F. Vander Meer.*

The treaty of peace, union, friendship, and mutual defence, between the crowns of Great-Britain, France, and Spain, concluded at Seville on the 9th of November, N. S.
1729.

In the Name of the most Holy Trinity; Father, Son, and Holy Ghost, three distinct Persons, and one only true God:

THEIR most Serene Majesties the King of Great-Britain, the most Christian King, and the Catholick King, desiring, with equal earnestness, not only to renew and bind more closely their antient friendship, but likewise to remove whatever might hereafter disturb it, to the end that being united in sentiments and inclination, they may for the future act in every thing as having but one and the same view and interest; and for this purpose, the most Serene King of Great-Britain having given full power for treating in his name to M. William Stanhope, Vice-Chamberlain of his Britannick Majesty's Household, one of his Privy-Council, Member of the parliament of Great-Britain, Colonel of a regiment of dragoons, and his said Majesty's Ambassador extraordinary to his Catholick Majesty; as also to M. Benjamin Keene; his said Britannick Majesty's Minister Plenipotentiary to his Catholick Majesty: The most Serene most Christian King having given full power for treating in his name to the Marquis de Brancas, Lieutenant-General of his armies, knight of his orders, and of that of the Golden-Fleece, his Lieutenant-General in the government of Provence; and his Ambassador Extraordinary to his Catholick Majesty: And the most Serene Catholick King having likewise given full power for treating in his name to M. John Baptist D'Orendayn Marquis de la Paz, his Counsellor of State and first Secretary of state and of the dispatches; and to M. Joseph Patino, Commander of Alcuesca in the Order of St. James, Governor of the Council of the Treasury, and of the Tribunals depending thereon, Superintendent-General of the general revenues, and his Secretary of state and of the dispatches for affairs of the Marine, the Indies, and the Treasury: The above-mentioned Ministers have agreed between them on the following atticles.

I. There shall be from this time and for ever a solid peace, a strict union, and a sincere and constant friendship between the most Serene King of Great-Britain, the most Serene most Christian King, and the most Serene King of Spain; their heirs and successors, as also between their kingdoms and subjects, for the mutual assistance and defence of their dominions and interests; there shall likewise be an oblivion of all that is past; and all the former treaties and conventions of peace, of friendship, and of commerce, concluded between the contracting powers respectively, shall be, as they hereby are, effectually renewed and confirmed, in all those points which are not derogated from by the present treaty, in as full and ample a manner, as if the said treaties were here inserted word for word, their said Majesties promising not to do any thing, nor suffer any thing to be done, that may be contrary thereto directly or indirectly.

II. In consequence of which treaties, and in order to establish firmly this union and correspondence, their Britannick, most Christian, and Catholick Majesties, promise and engage by the present defensive treaty of alliance, to guarantee reciprocally their kingdoms, states, and dominions under their obedience, in what parts of the world soever situate, as also the rights and privileges of their commerce, the whole according to the treaties; so that the said powers, or any one of them, being attacked or molested by any power and under any pretext whatever, they promise and oblige themselves reciprocally to employ their offices, as soon as they shall be thereto required, for obtaining satisfaction to the party injured, and for hindering the continuance of hostilities; and if it happen that the said offices be not sufficient for procuring satisfaction without without delay, their said Majesties promise to furnish the following succours, jointly, or separately, that is to say, his Britannick Majesty eight thousand foot and four thousand horse; his most Christian Majesty eight thousand foot and four thousand horse; and his Catholick Majesty eight thousand foot and four thousand horse: If the Party attacked, instead of troops, should demand ships of war or transports, or even subsidies in money, he shall be free to chuse, and the other parties shall furnish the said ships
or

or money, in proportion to the expence of troops ; and for taking away all doubt touching the valuation of the succours, their abovesaid Majesties agree, that a thousand foot shall be computed at ten thousand florins Dutch money, and a thousand horse at thirty thousand florins Dutch money, by the month ; and the same proportion shall be observed with respect to the ships that ought to be furnished ; their said Majesties promising to continue and keep up the said succours as long as the trouble shall subsist ; and in case it should be found necessary, their said Majesties shall mutually succour each other with all their forces, and shall even declare war against the aggressor.

III. The Ministers of his Britannick Majesty and of his most Christian Majesty, having alledged that in the treaties concluded at Vienna between the Emperor and the King of Spain, in the year One thousand seven hundred twenty five, there were divers clauses that infringed the articles of the several treaties of commerce, or of the treaties of peace in which commerce may be concerned, antecedent to the year One thousand seven hundred twenty five, his Catholick Majesty has declared, as he declares by the present article, That he never meant to grant, nor will suffer to subsist by virtue of the said treaties of Vienna, any privilege contrary to the treaties here-above confirmed.

IV. It having been agreed by the preliminary articles, that the commerce of the English and French nations, as well in Europe as in the Indies, should be re-established on the foot of the treaties and conventions antecedent to the year One thousand seven hundred twenty five, and particularly that the commerce of the English nation in America should be exercised as heretofore ; it is agreed by the present article, that all necessary orders shall be dispatched on both sides, without any delay, if they have not been sent already, as well for the execution of the said treaties of commerce, as for supplying what may be wanting for the entire re-establishment of commerce on the foot of the said treaties and conventions.

V. Although it was stipulated by the preliminaries that all hostilities should cease on both sides, and that if any trouble or hostilities should happen between the subjects of the contracting parties, either in Europe, or in the

Indies, the contracting powers should concur for the reparation of damages sustained by their respective subjects; and notwithstanding this it is alledged, that on the part of the subjects of his Catholick Majesty acts of disturbance and hostilities have been continued; it is agreed by this present article, that as to what relates to Europe, his Catholick Majesty shall forthwith cause reparation to be made for the damages which have been suffered there since the time prescribed by the preliminaries for the cessation of hostilities; and as to what relates to America, he will likewise forthwith cause reparation to be made for the damages which shall have been suffered there since the arrival of his orders at Cartagena on the $\frac{1}{2}$ day of June One thousand seven hundred twenty eight. And his said Catholick Majesty shall publish the most rigorous prohibitions for preventing the like violences on the part of his subjects; their Britannick and most Christian Majesties promising on their part, if there be like cases, to cause reparation to be made for what shall have been so done, and to give like orders for the preservation of the peace, tranquility, and good intelligence.

VI. Commissaries shall be nominated, with sufficient powers, on the part of their Britannick and Catholick Majesties, who shall assemble at the court of Spain within the space of four months after the exchange of the ratifications of the present treaty, or sooner if it can be done, to examine and decide what concerns the ships and effects taken at sea on either side to the times specified in the preceding article. The said commissaries shall likewise examine, and decide, according to the treaties, the respective pretensions which relate to the abuses that are supposed to have been committed in commerce, as well in the Indies as in Europe, and all the other respective pretensions in America, founded on treaties, whether with respect to the limits or otherwise. The said commissaries shall likewise discuss and decide the pretensions which his Catholick Majesty may have, by virtue of the treaty of One thousand seven hundred twenty one, for the restitution of the ships taken by the English fleet in the Year One thousand seven hundred eighteen. And the said commissaries after having examined, discussed, and decided the above-

abovesaid points and pretensions, shall make a report of their proceedings to their Britannick and Catholick Majesties, who promise that within the space of six months after the making of the said report, they will cause to be executed punctually and exactly what shall have been so decided by the said Commissaries.

VII. Commissaries shall likewise be nominated on the part of his most Christian Majesty, and of his Catholick Majesty, who shall examine all grievances generally whatsoever, which the said parties therein interested may form respectively, whether for the restitution of vessels seized or taken, or with respect to commerce, limits, or otherwise.

VIII. The said Commissaries shall finish punctually their commission within the space of three years, or sooner if it can be done, to be computed from the day of the signing of the present treaty, and this without any further delay, on any motive or pretext whatever.

IX. The introducing of garrisons into the places of Leghorne, Porto-ferraio, Parma, and Placentia, to the number of six thousand men of his Catholick Majesty's troops, and in his pay, shall be effectuated without loss of time; which troops shall serve for the better securing and preserving of the immediate succession of the said States in favour of the most Serene Infante Don Carlos, and to be ready to withstand any enterprize and opposition which might be formed to the prejudice of what has been regulated touching the said succession.

X. The contracting powers shall forthwith use all the applications which they shall judge to be consistent with the dignity and quiet of the most Serene Great Duke of Tuscany, and the Duke of Parma, to the end the garrisons may be received with the greatest tranquility and without opposition, as soon as they shall present themselves before the places into which they are to be introduced.

The said garrisons shall take an oath to the present possessors to defend their persons, sovereignty, possessions and states, and subjects, in every thing that shall not be contrary to the right of succession reserved to the most Serene Infante Don Carlos, and present possessors shall not demand or exact any thing that is contrary thereto.

The said garrisons shall not meddle directly or indirectly, under any pretext whatsoever, in affairs of the political, æconomical or civil government; and shall have most express orders to render to the most Serene Great Duke of Tuscany and the Duke of Parma, all the respects and military honours that are due to Sovereigns in their own dominions.

XI. The intent of introducing the said six thousand men of his Catholick Majesty's troops and in his pay, being to secure to the most Serene Infante Don Carlos the immediate succession of the States of Tuscany, Parma, and Placentia, his Catholick Majesty promises, as well for himself as his successors, that as soon as the most Serene Infante Don Carlos his Son, or such other who shall succeed to his rights, shall be the quiet possessor of those States, and in safety from all invasion and other just grounds of fear, he will cause to be withdrawn from the places in those States the troops which shall be his own, and not belonging to the Infante Don Carlos, or to him who shall succeed to his rights, in such manner that thereby the said succession or possession may rest secure and exempt from all events.

XII. The contracting powers engage to establish, according to the rights of succession which have been stipulated, and to maintain the most Serene Infante Don Carlos, or him to whom his rights shall devolve, in the possession and enjoyment of the States of Tuscany, Parma, and Placentia, when he shall once be settled there; to defend him from all insult, against any power whatsoever, that might intend to disturb him; declaring themselves by this treaty, Guarantees for ever of the right, possession, tranquility, and quiet of the most Serene Infante, and of his successors to the said States.

XIII. As to other particulars or regulations concerning the keeping up of the said garrisons once established in the States of Tuscany, Parma, and Placentia, as it is to be presumed that his Catholick Majesty and the most Serene Great Duke, and Duke of Parma, will settle the same by an agreement between themselves, their Britannick and most Christian Majesties promise, that as soon as that agreement shall be made, they will ratify and guarantee it,

it, as well as to his Catholick Majesty, as to the most Serene Great Duke and Duke of Parma, as if were inserted word for word in the present treaty.

XIV. The States General of the United Provinces shall be invited to come into the present treaty and articles. Such other powers as shall be agreed on, shall likewise be invited and admitted by concert into the same treaty and articles.

The ratifications of the present treaty shall be dispatched within the space of six weeks, or sooner, if it can be done, to be reckoned from the day of signing it.

In witness whereof, We the underwritten Ministers Plenepotentiaries of his Britannick Majesty, of his most Christian Majesty, and of his Catholick Majesty, by virtue of our full powers, which have been communicated to each other, transcripts of which shall be hereto annexed, have signed the present treaty, and caused the seals of our arms to be affixed thereto. Done at Seville, the ninth day of November, One thousand seven hundred twenty nine.

W. Stanhope.

(L. S.)

B. Keene.

(L. S.)

Branca.

(L. S.)

El Marq. de la Paz.

(L. S.)

D. Joseph Patino.

(L. S.)

Separate Articles.

I. **A**LTHOUGH, conformably to the preliminary articles, it is said in the fourth article of the treaty signed this day, that the commerce of the English nation in America should be re-established on the foot of the treaties and conventions antecedent to the year One thousand seven hundred twenty five; however, for the greater exactness, it is further declared by the present article between their Britannick and Catholick Majesties, which shall have the same force, and be under the same guaranty as the treaty signed this day, that under that general denomination are comprehended the treaties of peace and of commerce, concluded at Utrecht the thirteenth of July and ninth of December, in the year One thousand seven

seven hundred thirteen, in which are comprised the treaty of One thousand six hundred sixty seven, made at Madrid, and the cedula therein mentioned; the latter treaty made at Madrid the fourteenth of December, One thousand seven hundred fifteen; as also the particular contract, commonly called the *Asiento*, for bringing negro slaves into the Spanish Indies, which was made the twenty sixth day of March, in the said year One thousand seven hundred thirteen, in consequence of the Twelfth article of the treaty of Utrecht; and likewise the treaty of declaration, touching that of the *Asiento*, made the Twenty sixth of May, One thousand seven hundred sixteen: All which treaties mentioned in this article, with their declarations, shall from this day (even during the examination by the commissaries) be and remain in their force, virtue and full vigour; for the observation of which his Catholick Majesty shall cause to be dispatched forthwith, if they have not been dispatched, the necessary orders and cedula to his Vice-roys, Governors, and other Ministers, to whom it shall appertain, as well in Europe as in the Indies, to the end that without any delay or interpretation they may cause them to be observed and fulfilled.

In like manner his Britannick Majesty promises and engages to publish the necessary orders, if any be wanting, for re-establishing the commerce of the subjects of Spain in all the countries under his dominion, on the foot specified by the said treaties, and for causing them to be exactly observed and fulfilled.

II. Consequently, all ships, merchandize and effects, which shall not have been taken or seized on account of unlawful commerce, and which shall now be proved by authentick proofs and documents, to have been detained, seized, or confiscated in the ports of Spain, either in Europe or in the Indies, and namely the ship *Prince Frederick* and her cargo, if they have not been restored already, shall be immediately restored, in the same kind as to those things which shall be found still remaining in that condition; or in default thereof, the just and true value of them, according to their valuation, which, if it was not made at the time, shall be regulated by the authentick informations which the proprietors shall exhibit

to the magistrates of the places and towns where the seizures were made: His Britannick Majesty promising the like on his part, as to all seizures, confiscations, or detentions, which may have been made contrary to the tenor of the said treaties: Their said Britannick and Catholick Majesties agreeing, that with respect to the like seizures, confiscations, or detentions on either side, the validity of which may not yet have been sufficiently made out, the discussion and decision of them shall be referred to the examination of the commissaries, to do therein according to right upon the foot of the treaties here above-mentioned.

The present separate articles shall have the same force as if they were inserted word for word in the treaty, concluded and signed this day. They shall be ratified in the same manner, and the ratifications of them shall be exchanged at the same time as those of the said treaty.

In witness whereof we the underwritten Ministers Plenipotentiaries of his Britannick Majesty, of his most Christian Majesty, and of his Catholick Majesty, by virtue of our full powers, have signed the present separate articles, and caused the seals of our arms to be put thereto. Done at Seville the ninth day of November, One thousand seven hundred twenty nine.

W. Stanhope.

(L. S.)

Branca.

(L. S.)

El Marq. de la Paz.

(L. S.)

B. Keene.

(L. S.)

D. Joseph Patino.

(L. S.)

Treaty of alliance and commerce between Great-Britain and the nation of the Cherrokees in America. Sept. 20, 1730.

I. **F**ORASMUCH as you Scayagusta Oukah, Chief of the city of Taftetsa, you Scalilosken Ketagustah, you Tathtowe, you Clogittah, you Kolkannah, and you Ukwanequa, were sent by Moytoy de Telliquo, with approbation of the whole nation of the Cherrokees, in an assembly held at Nikoffen the 14th of April, 1730, to Sir Alexander Cuming, Bart. in Great-Britain, where you have

have seen the great King George, at whose feet the said Sir Alexander Cuming, by the express order of Moytoy, and the whole nation of the Cherrokees, has laid the crown of your nation, the skulls of your enemies, and the plumes of honour, as a mark of your submission: The King of Great-Britain, who has a tenderness for the powerful and great nation of the Cherrokees, his good children and subjects, has authorized us to treat with you; and in this character we confer with you, as if the whole nation of the Cherrokees, its old men, its young men, its women and children were here present: and you ought to look upon the words which we say to you, as if pronounced from the lips of the Great King your Master, whom you have seen; and we will consider the words which you shall speak to us, as the words of your whole nation, delivered frankly and sincerely to the Great King. Whereupon we give you four pieces of strip'd serge.

II. Hear therefore the words of the Great King, whom you have seen, and who has commanded us to tell you, that the English in all places, and on both sides the great mountains, and great lakes, are his people and children whom he dearly loves; that their friends are his friends, and their enemies his enemies; that he is pleased that the great nation of the Cherrokees has sent you hither, to polish the chain of friendship which is betwixt him and them, betwixt your people and his people; that the chain of friendship betwixt him and the Indians of the Cherrokees, is like the sun which gives light, both here and upon the high mountains that they inhabit, and which warms the hearts both of the Indians and the English. And as we see no spots in the sun, so there is no rust nor dirt on this chain: and as the Great King holds one end of it fastened to his breast, 'tis his intention that you should take up the other end of the chain, and fix it to the breast of Moytoy Telliquo, and to those of your wise old men, your captains and your people, in such manner that it may never be broke nor loos'd. And hereupon we give you two pieces of blue cloth.

III. The Great King and the Indians of the Cherrokees, being thus united by the chain of friendship, he has order'd his children, the Indians of Carolina, to traffick

with

with the Indians, and to furnish them with whatever commodities they want, and to build houses, and sow corn with speed, all the way from Charles-Town to the Cherrokees-Town, on the other side of the great mountains; for he would have the Indians and the English live together like children of one and the same family, whose Great King is their dear father: and forasmuch as the Great King has given his lands on both sides the great mountains to the English his children, he grants the Indians of the Cherrokees the privilege to live where they please. And upon this we give you a piece of red cloth.

IV. The great nation of the Cherrokees being at present the children of the Great King of Great-Britain, and he being their father, the Indians ought to consider the English as brothers, of one and the same family, and ought always to be ready at the Governor's orders to fight against any nation whatsoever, either Whites or Indians, that shall molest or attack the English. And hereupon we give you twenty muskets.

V. The Cherrokees nation shall take care to keep the way of commerce clean, and that there be no blood in the road where the English white men travel, even though they happen to be accompanied by any other nation at war with the Cherrokees. Whereupon we give you two hundred weight of gunpowder.

VI. That the Cherrokees nation shall not suffer any of its people to traffick with any other white men besides the English, and shall grant leave to no other nation to build any fort or habitation, or to sow corn in their country, either near any towns of the Indians, or on the lands belonging to the Great King; and if any thing like it be undertaken, you must give advice of it to the English Governor, and act as he shall order you, for maintaining the rights of the Great King over the lands of Carolina. Whereupon we give you five hundred weight of musket bullets, and the same quantity of cannon ball.

VII. That in case any negro slave runs away from his English master into the woods, the Indians of the Cherrokees shall do what they can to apprehend him, and bring him back to the plantation from whence he fled, or to the Governor's house; and for every negro which
the

the Indians shall thus retake, they shall have a musket, and a sentinel's suit of cloaths. Whereupon we give you a box full of vermilion, with 10000 flints, and 6 dozen of hatchets.

VIII. That if an Englishman has the misfortune to kill an Indian, the King or Chief of the Cherrokees shall first of all make his complaint to the English Governor, and the person who committed the murder shall be punished according to the laws, as much as if he had killed an Englishman, and in like manner if an Indian kill an Englishman; the guilty Indian shall be delivered up to the Governor, who shall punish him according to the English laws, and as if he was an Englishman. Whereupon we give you twelve dozen of clasp-knives, four dozen of kettles, and ten dozen of bells.

IX. You are to know, that every thing we have said to you are the words of the Great King whom you have seen; and to shew that his heart is open and sincere to his children and friends the Cherrokees, and their whole nation, he puts his hand into this Bandelier, which he demands may be received and shewn to your whole nation, to their children and Grand-children, to confirm what has been said to you, and to perpetuate this treaty of peace and friendship between the English and the Cherrokees, as long as the mountains and rivers are in being, and as long as the sun shall shine. Whereupon we give you this Bandelier.

Signed,

Oukab Ulab,
Scalilosken Ketagustab,
Tathtowe,

Clegoittab,
Kollannab,
Ukwanequa.

By order of the Commissioners at Whitehall, the 30th of
September, 1730.

ALLURED POPPLE.

And underneath,

'Tis for the security of Moytoy de Telliou, that I have seen, examined, and approved of all the articles contained in the above agreement, to which the said Indians have by my advice given their consent.

Signed,

ALEX. CUMING.

Treaty of peace and alliance, between the Emperor Charles VI. and George II. King of Great-Britain, in which the States of the United Provinces of the Netherlands are included. Made at Vienna, the 16th of March, 1731.

In the Name of the most Holy and undivided Trinity,
Amen.

TO all to whom it does or may any way appertain. Be it known, that the most Serene and most Potent Prince and Lord, Charles VI. Emperor of the Romans, &c. and the most Serene and most Potent Prince and Lord, George II. King of Great-Britain, France and Ireland, together with the High and Mighty Lords the States General of the United Provinces of the Netherlands, having taken into consideration the present unsettled and perplexed state of affairs in Europe, seriously bethought themselves of finding proper methods, not only to prevent those evils which must naturally arise from the cavils and divisions that were daily increasing, but also to establish the publick tranquility upon a sure and lasting foundation, and in as easy and speedy a manner as it was possible: For this end their said Majesties and the said States-General, being fully animated with a sincere desire to promote so wholesome a work, and to bring it to perfection, judged it expedient to agree among themselves upon certain general conditions, which might serve as the basis for reconciling the animosities, and settling the differences of the chief Princes of Europe, which as they are heightened among themselves, do greatly endanger the publick tranquility.

For which purpose, the most high Prince and Lord, Eugene Prince of Savoy and Piedmont, &c. and also the most illustrious Lord, Philip Lewis, Hereditary Treasurer of the holy Roman Empire, Count of Zinzendorf, &c. and also the most illustrious Lord, Gundacker Thomas, Count of the holy Roman Empire, &c. on the part of his Sacred Imperial and Catholick Majesty; and Thomas Robinson, Esq; Minister of his Majesty of Great-Britain to his said Imperial and Catholick Majesty, on the part of his Majesty of Great-Britain; and on the part of the High and

Mighty States of the United Provinces of the Netherlands; being all furnished with full powers, after they had held conferences together, and exchanged their credential letter and full powers, agreed upon the following articles and conditions.

I. That there shall be from this time forward, between his Sacred Imperial Catholick Majesty, his Sacred Royal Majesty of Great-Britain, the heirs and successors of both, and the High and Mighty Lords the States General of the United Provinces of the Netherlands, a firm, sincere, and inviolable friendship, for the mutual advantage of the Provinces and subjects belonging to each of the contracting powers: and that this peace be so established, that each of the contractors shall be obliged to defend the territories and subjects of the others; to maintain the peace, and promote the advantages of the other contractors as much as their own; and to prevent and avert all damages and injuries of every kind whatsoever, which might be done to them. For this end, all the former treaties or conventions of peace, friendship and alliance, shall have their full effect, and shall preserve in all and every part their full force and virtue, and shall even be looked upon as renewed and confirmed by virtue of the present treaty, except only such articles, clauses, and conditions, from which it has been thought fit to derogate by the present Treaty. And moreover, the said contracting parties have expressly obliged themselves, by virtue of this present article, to a mutual defence, or as it is called, guaranty of all the kingdoms, states, and territories, which each of them possesses, and even of the rights and immunities each of them enjoys, or ought to enjoy, in such manner, that they have mutually declared and promised to one another, that they will, with all their forces oppose the enterprises of all and every one who shall (perhaps contrary to expectation) undertake to disturb any of the contractors, or their heirs and successors, in the peaceable possession of their kingdoms, states, provinces, towns, rights, and immunities, which each of the contracting parties doth or ought to enjoy, at the time of the conclusion of the present treaty.

II. More-

II. Moreover, as it has been frequently remonstrated on the part of his Imperial and Catholick Majesty, that the publick tranquility could not reign and last long, and that no other sure way could be found out for maintaining the balance of Europe, than a general defence, engagement, and eviſtion, or as they call it, a guaranty for the order of his ſucceſſion, as it is ſettled by the imperial declaration of 17:3, and received in the moſt Serene Houſe of Auſtria; his Sacred Royal Majesty of Great-Britain, and the High and Mighty Lords the States of the United Provinces of the Netherlands, moved thereto by their ardent deſire to ſecure the publick tranquility, and to preſerve the balance of Europe, as alſo by a view of the terms agreed upon in the following articles, which are exceedingly well adapted to answer both purpoſes, do, by virtue of the preſent article, take upon them the general guaranty of the ſaid order of ſucceſſion, and oblige themſelves to maintain it as often as there ſhall be occaſion, againſt all perſons whatſoever; and conſequently they promiſe, in the moſt authentick and ſtrongeſt manner that can be, to defend, maintain, and (as it is called) to guaranty, with all their forces, that order of ſucceſſion which his Imperial Majesty has declared and eſtabliſhed by a ſolemn act of the 19th of April, 1713, in manner of a perpetual, indiviſible, and inſeparable feoffment of truſt, in favour of primogeniture, for all his Majesty's heirs of both ſexes; of which act there is a copy annexed at the end of this treaty: Which ſaid act was readily and unani- mouſly received by the orders and eſtates of all the king- doms, archduchies, principalities, provinces and domains, belonging by right of inheritance to the moſt Serene Houſe of Auſtria; all which have humbly and thankfully ac- knowledged it, and tranſcribed it into their publick regi- ſters, as having the force of a law and pragmatick ſanc- tion, which is to ſubſiſt for ever in full force. And where- as according to this rule and order of ſucceſſion, if it ſhould pleaſe God of his mercy to give his Imperial and Catholick Majesty iſſue male, then the eldeſt of his ſons, or, he being dead before, the eldeſt ſon's eldeſt ſon; and in caſe there be no male iſſue, on his Imperial and Ca- tholick Majesty's demife, the eldeſt of his daughters, the

most Serene Archduchesses of Austria, by the order and right of seniority, which has always been indivisibly preserved, is to succeed his Imperial Majesty in all his kingdoms, provinces, and domains, in the same manner as he now possesses them: nor shall they at any time, upon any account, or for any reason whatever, be divided or separated in favour of him, or her, or them, who may be of the second, the third, or more distant branch. And this same order and indivisible right of seniority is to be preserved in all events, and to be observed in all ages; as well in his Imperial Majesty's male issue, if God grants him any, as in his Imperial Majesty's female issue, after the extinction of the male heirs; or, in short, in all cases wherein the succession of the kingdoms, provinces, and hereditary dominions of the most Serene House of Austria shall be called in question. For this purpose, his Majesty of Great-Britain, and the High and Mighty Lords the States General of the United Provinces of the Netherlands, promise and engage to maintain him, or her, who ought to succeed according to the rule and order above set forth in the kingdoms, provinces, or domains of which his Imperial Majesty is now actually in possession; and they engage to defend the same for ever against all such as shall perhaps presume to disturb that possession in any manner whatsoever.

III. And forasmuch as it hath been often represented to his Imperial and Catholick Majesty, in terms full of friendship, on the part of his Sacred Royal Majesty of Great-Britain, and the High and Mighty Lords the States General of the United Provinces, that there was no surer nor more speedy method for establishing the publick tranquillity so long desired, than by rendering the succession of the Duchies of Tuscany, Parma, and Placentia, designed for the most Serene the Infante Don Carlos, yet more secure by the immediate introduction of 6000 Spanish soldiers into the strong places of those Duchies, his said Sacred Imperial and Catholick Majesty, desiring to promote the pacific views and intentions of his Britannick Majesty, and the High and Mighty States General of the United Netherlands, will by no means oppose the peaceable introduction of the said 6000 Spaniards into the strong places
of

of the Duchies of Tuscany, Parma, and Placentia, in pursuance of the above-mentioned engagements entered into by his said Britannick Majesty, and by the States General. And whereas to this end, his Imperial and Catholick Majesty judges the consent of the empire necessary, he promises at the same that he will use his utmost endeavours to obtain the said consent, within the space of two months, or sooner, if possible. And to obviate as readily as may be the evils which threaten the publick peace, his Imperial and Catholick Majesty moreover promises, that immediately after the mutual exchange of the ratifications, he will notify the consent which he, as Head of the empire, has given to the said peaceable introduction, to the Minister of the Great Duke of Tuscany, and to the Minister of Parma residing at his court, or wherever else it shall be thought proper. His said Imperial and Catholick Majesty likewise promises and affirms, that he is so far from any thought of raising, or causing any hindrance, directly or indirectly, to the Spanish garrisons being admitted into the places aforesaid, that on the contrary he will interpose his good offices and authority, for removing any unexpected obstruction or difficulty that may oppose the said introduction, and consequently that the 6000 Spanish soldiers may be introduced quietly, and without any delay in the manner aforesaid, into the strong places as well of the Great Duchy of Tuscany, as of the Duchies of Parma and Placentia.

IV. That therefore all the articles thus agreed to, with the irrevocable consent of the contracting parties, be so firmly and reciprocally established, and so entirely decided, that it shall not be lawful for the contracting parties to deviate from them in any wise; meaning as well those which are to be put in execution without delay, and immediately after the exchange of the ratifications, as those which ought to remain for ever inviolable.

V. Whereas for attaining to the end which the contracting parties in this treaty propose to themselves, it has been found necessary to pluck up every root of division and dissension, and therefore that the antient friendship which united the said contracting parties, may not only be renewed, but knit closer and closer every day, his Imperial

Catholick Majesty promises, and, by virtue of the present article, binds himself to cause all commerce and navigation to the East-Indies to cease immediately and for ever in the Austrian Netherlands, and in all the other countries which in the time of Charles II. Catholick king of Spain, were under the dominion of Spain; and that he will, bona fide, act in such manner, that neither the Ostend company, nor any other, either in the Austrian Netherlands, or in the countries which, as is above said, were under the dominion of Spain in the time of the late Catholick King Charles II. shall at any time directly or indirectly contravene this rule established for ever. Excepting that the Ostend Company may send, for once only, two ships, which shall sail from the said port to the East-Indies, and from thence return to Ostend, where the said Company may, when they think fit, expose the merchandizes so brought from the Indies to sale. And his Sacred Royal Majesty of Great-Britain, and the High and Mighty States General of the United Provinces, do likewise promise on their part, and oblige themselves, to make a new treaty with his Imperial Majesty without delay, concerning commerce and the rule of imposts, commonly call'd a Tariff, as far as relates to the Austrian Netherlands, and agreeable to the intention of the 26th article of the treaty, commonly call'd (by reason of the limits therein settled) the Barrier. And for this purpose the contracting parties shall immediately name commissioners, who shall meet at Antwerp within the space of two months, to be computed from the day of signing the present treaty, to agree together upon every thing that regards the entire execution of the said Barrier treaty, which was concluded at Antwerp the 27th day of November, Anno 1715, and of the convention since signed at the Hague the 12th day of December, 1718; and particularly to conclude a new treaty there, as has been said, concerning commerce, and the rate of imposts, as far as relates to the Austrian Netherlands, and according to the intention of the aforesaid 26th article. 'Tis moreover agreed, and solemnly stipulated, that every thing which it hath been thought fit to leave to the commissioners who are to meet at Antwerp, shall be brought to a final issue, with all the justice and integrity,

tegrity, as soon as possible, and in such manner that the last hand may be put to that work, at least within the space of two years.

VI. As the examination and discussion of the other points which remain to be discussed, either between the contracting parties, or any of their confederates, require much more time than can be spared in this critical situation of affairs, therefore to avoid all delays which might be too prejudicial to the common welfare, 'tis covenanted and agreed to declare mutually, that all the treaties and conventions which any of the said contracting powers have made with other Princes and States, shall subsist as they now are, excepting only so far as they may be contrary to any the points regulated by the present treaty; and moreover, that all the disputes which are actually between the said contracting parties, or any of their allies, shall be amicably adjusted as soon as possible; and in the mean time the contracting parties shall mutually endeavour to prevent any of those who have differences, from having recourse to arms to support their pretensions.

VII. To take away all manner of doubt from the subjects of the King of Great-Britain, and the Lords the States General, touching their commerce in the kingdom of Sicily, his Imperial and Catholick Majesty has been pleased to declare, that from this time forward, they shall be treated in the same manner, and upon the same foot as they were or ought to have been treated in the time of Charles II. King of Spain of glorious memory, and as any nation in the strictest friendship has been usually treated.

VIII. There shall be included in this treaty of peace, all those who within the space of six months, after its ratifications are exchanged, shall be proposed by either party, and by common consent.

IX. This present treaty shall be approved and ratified by his Imperial and Catholick Majesty, by his Sacred Royal Majesty of Great-Britain, and by the High and Mighty Lords the States General of the United Netherlands, and the ratifications shall be given and exchanged at Vienna, within six weeks, to be computed from the day of signing.

In witness and confirmation whereof, as well the Imperial commissioners, in quality of ambassadors extraordinary and plenipotentiaries, as the Minister of the King of Great-Britain, equally furnished with full powers, have signed this treaty with their own hands, and sealed it with their seals. Done at Vienna in Austria, the 16th day of March, in the year of our Lord, 1731.

(L. S.) *Eugene of Savoy.*

(L. S.) *Philip Lewis of Zindendorf.*

(L. S.) *Gundacker Thomas of Staremberg.*

(L. S.) *Thomas Robinson.*

Separate Article.

THOUGH by the first article of the treaty concluded this day between his Imperial and Catholick Majesty, his Sacred Royal Majesty of Great-Britain, and the Lords the States General of the United Provinces of the Netherlands, the contracting parties did mutually promise, among other things, that they would with all their forces oppose the enterprizes of any person or persons who should (perhaps contrary to expectation) offer to give disturbance to any of the contracting parties, their heirs or successors, in the peaceable possession of their kingdoms, dominions, provinces, countries, rights or immunities, which each of the contractors doth or ought to enjoy at the time of the conclusion of the present treaty; the said contracting parties have nevertheless agreed among themselves, by virtue of the present separate article, That if it should happen, perhaps in process of time, that the Turks should offer to disturb his Sacred Imperial and Catholick Majesty, his heirs and successors, in the quiet possession of the kingdoms, dominions, provinces, countries, rights or immunities, which his Imperial Majesty actually doth, or ought to enjoy, the guaranties stipulated in the said first article, are not to be extended to this case now mentioned.

This separate article shall have the same force, &c.

DECLARATION concerning the Spanish garrisons,
which are to be introduced into the strong places of Tus-
cany, Parma, and Placentia.

FORasmuch as his Sacred Imperial Catholick Majesty was desirous to have all manner of security, before he would consent on his part to the third article of the treaty concluded this day, which regulates the immediate introduction of the Spanish garrisons into the strong places of Tuscany, Parma and Placentia, agreeably to the real views and intentions contained in the promises made and signed in the treaty of Seville, partly on the 9th, and partly on the 21st day of November, Anno 1729; his Sacred Royal Majesty of Great-Britain, and the High and Mighty Lords the States General of the United Netherlands, have not only exhibited those promises, bonâ fide, as they are here subjoined, to his Sacred, Imperial, and Catholick Majesty, but moreover they have not hesitated to affirm in the strongest manner, that when they agreed to introduce the Spanish garrisons into the strong places of Tuscany, Parma and Placentia, they had no intention to depart in the least from those things which had been settled by the fifth article of the quadruple alliance, concluded at London ^{Aug. 2}/_{July 22} 1718, either with regard to the rights of his Imperial Majesty, and the empire, or to the security of the kingdoms and states, which his Imperial Majesty actually possesseth in Italy, or lastly to the preservation of the quiet and dignity of those who were then the lawful possessors of those Duchies. For this purpose his Royal Majesty of Great-Britain and the High and Mighty Lords the States General of the United Netherlands have declared, and do declare, that they are entirely disposed, and ready to give his Imperial and Catholick Majesty, as they do by these presents, all the strong and solemn promises, evictions, or, as they are call'd, guaranties that can be desired, as well in relation to the points above-mentioned, as in relation to all the other points still contained in the said fifth article of the treaty called quadruple.

This present declaration shall have the same force, &c.

D E.

DECLARATION *concerning the Succession of Parma.*

IT being apprehended that the unexpected death of the late most Serene Prince, Anthony Farnese, in his lifetime Duke of Parma and Placentia, might in some sort retard or obstruct the conclusion of this treaty, it having happened at the very time when it was upon the point of being concluded; his Imperial and Catholick Majesty doth by virtue of this present act, declare and engage, that in case the hopes of the pregnancy of the most Serene Duchess Dowager, wife of the said most Serene Duke Anthony whilst he lived, do not prove abortive, and the said Duchess Dowager should bring a man-child into the world, all that has been regulated, as well by the third article of the treaty concluded this day, as by the act of declaration above recited, shall take place, as much as if the unforeseen death of the Duke had not happened: but that if the hopes conceived of the pregnancy of the said Duchess Dowager should vanish, or she should bring a posthumous daughter into the world, then his said Imperial Majesty declares, and binds himself, that instead of introducing the Spanish soldiers into the strong places of Parma and Placentia, the most Serene Infante of Spain, Don Carlos, shall be put into the possession of the said Duchies, in the same manner as was agreed upon with the court of Spain, by consent of the empire, and pursuant to the letters of eventual investiture, the tenor of which shall be looked upon as repeated and confirmed in all its articles, clauses and conditions; in such manner notwithstanding, that the said Infante of Spain, as also the court of Spain, shall first of all fulfil the former treaties, wherein the Emperor is a contracting party with the consent of the empire. And whereas upon the decease of the said Duke Anthony Farnese, the Imperial troops were not put into the strong places of Parma and Placentia, with a view to hinder the eventual succession, as it was secured to the most Serene Infante Don Carlos by the treaty of London, commonly called the Quadruple Alliance, but only to prevent any enterprize which might have disturbed the tranquility of Italy; his Sacred Imperial and Catholick Majesty perceiving, that by the treaty concluded this day, the publick tranquility

is restored and confirmed as far as possible, he doth again declare, that in putting his troops into the strong places of Parma and Placentia, he had no other intention than to support as far as lay in his power, the succession of the most Serene Infante Don Carlos, as it is secured to the said Infante by the said treaty of London: and that very far from opposing the said succession, in case the male branch of the house of Farnese should be utterly extinct; or from opposing the introduction of the Spanish garrisons, if the Duchess Dowager should happen to bring a posthumous son into the world, his Imperial Majesty doth on the contrary declare and promise, that the said forces shall by his express orders be withdrawn, either that the said Infante Don Carlos may be put into possession of the said Duchies, according to the tenour of the letters of eventual investiture, or that the Spanish garrisons may be introduced peaceably, and without any resistance whatever; which said garrisons are to serve for no other use than to secure the execution of the promise made to him, in case the male branch of the House of Farnese should be utterly extinct.

The present Declaration shall have the same force, &c.

DECLARATION *signed by the Ministers of the King of Great-Britain, and the Lords the States General, by virtue of their full powers.*

WHEREAS among several articles agreed upon in the treaty of Seville, on the 9th and 21st day of November 1729, in favour of the Great Duke of Tuscany, as well as of the Duchies of Parma and Placentia, it was likewise provided, that as soon as the most Serene Infante of Spain, Don Carlos, or the Prince to whom his rights may devolve, should be in peaceable possession of the succession designed for him, and secure from any insults of enemies, and against any just cause of fear, then his Royal Catholick Majesty should presently give orders for withdrawing his own troops out of the said Duchies, but not those belonging to the Infante Don Carlos, or to the Prince upon whom, as above-mentioned, his rights may devolve.

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The under-written Ministers of the King of Great-Britain, and the Lords the States General, do, by virtue of this present instrument, declare, that as his said Royal Majesty of Great-Britain, and the High and Mighty Lords the States General of the United Netherlands, are always accustomed to fulfil what they have promised, so 'tis still their meaning and intention, that in the cases aforesaid, the Spanish troops shall be immediately withdrawn from the Duchies of Tuscany, Parma and Placentia.

This Declaration is to be kept secret, but is nevertheless to be of the same force, &c.

Separate Article.

WHEREAS the treaty concluded this day between his Imperial Catholick Majesty, his Britannick Majesty, and the High and Mighty Lords the States General of the United Provinces of the Netherlands, could not be subscribed or signed by the Minister of the said States General residing at the Imperial Court; because according to the custom of the republick, and the form of its government, the full powers could not be dispatched to the said Minister so soon as was necessary; it is agreed between his Imperial Majesty and his Royal Majesty of Great-Britain, that the said States General (there being several conditions in the said treaty, wherein they are particularly concerned) shall be held and reputed as a principal contracting party, according as they are also named in the said treaty, in firm hope and confidence that they would accede to it, as soon as the usual form of their government would admit of it. And because the zeal which that republick manifests for establishing and securing the publick tranquility, leaves their said Majesties no room to doubt, that the said Republick is desirous of becoming, as soon as may be, a principal contracting party in the said treaty, to the end she may partake of the advantages therein stipulated for her; both their Majesties will therefore unite their endeavours, that this treaty may be signed at the Hague on the part of the said States General, within the space of three months, to be computed from the day of the signing of the present treaty, or sooner if possible; for

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it appeared necessary both to his Imperial, and to his Royal Britannick Majesty, in order to obtain the end proposed by the present treaty, and for completing the publick tranquillity, that the said States General should enter into a part and partnership of the said conventions.

This separate Article shall have the same force, &c.

A Declaration concerning East Friesland.

THE States General of the United Provinces of the Netherlands, having upon several occasions assured his Imperial and Catholick Majesty, that how much soever they are interested in the re-establishment and preservation of the peace in their neighbourhood, and by consequence that of the province of East Friesland, it was never their intention to prejudice in the least the dependence of the said province of East Friesland, upon the Emperor and the Empire; his said Imperial and Catholick Majesty, to give the States a fresh proof of his desire to oblige them as far as is consistent with justice, has been pleased to explain to them his true sentiments on that affair, and by that means to recover them from the fears they seem to have received. In order to this, no hesitation has been made to declare to them on his part by the present act, that his intention always was and still is.

I. That an amnesty which he has most graciously granted to those of Embden and their adherents, shall have its entire effect; and therefore that the several pains and penalties pronounced against those of Embden and their adherents, upon the score of their renitency (resistance) shall not be put in execution. And as for those of them which have actually been executed since the most gracious acceptance of the submission made by the people of Embden and their adherents, the whole shall be restored upon the foot it stood before the said submission was accepted, that is to say before the third of May, 1729, saving what is hereafter mentioned of an agreement to indemnify those for their losses, who were plundered during the late troubles.

II. His Imperial and Catholick Majesty, having by his resolution of the 12th of Sept. 1729, most graciously permitted those of the town of Emben, and their adherents,

rents, to draw up a fresh account of their grievances, or matters wherein they thought themselves aggrieved by the decrees of 1721, and the years following, concerning the ground of the affairs upon which they differed with the prince; and the said grievances having been afterwards exhibited to the Imperial Aulick council, with all submission, the of November the same year, his said Majesty has already ordained by his most gracious resolution of the 31st of August, that those grievances should be examined as soon as possible. And as it has been often declared, it has been and still is his constant desire, that they should be determined and decided with all the justice and dispatch that is possible, according to the agreements, conventions and decisions, which make the particular law of the province of East Friesland, and which are referred to in the Prince's reverfal letters, passed and sworn to at his accession to the regency: Provided nevertheless, that under the denomination of those agreements, conventions, and decisions, none be comprehended which were abrogated and annulled by his Imperial Majesty's august predecessors in the empire, or which strike at the supreme rights of the Emperor and the Empire over the province of East Friesland. And his Imperial and Catholick Majesty, as a farther proof of his most gracious intention to cut as short as justice will admit him, the examination of the grievances of the people of Embden, and their adherents, has already ordained by his resolution of the 31st of August last year, that as soon as the account thereof is delivered to those who are properly to take cognizance of the same, according to the tenour of the resolution above-mentioned, they shall answer it very soon, and once for all; after which his Imperial Majesty, with the advice of his Imperial Aulick council, will redress every complaint, article by article, which shall appear to be grounded on the agreements above-mentioned.

III. It having been already ordained, pursuant to his Imperial and Catholick Majesty's last resolution of the 31st of August, 1730, that the people of the town of Embden, and their adherents, ought to be admitted into the assembly of the States, which is to be called together to deliberate freely upon the affairs that lie before them; his
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Imperial and Catholick Majesty, will take care, that this resolution shall have its entire effect, and that none of those who have a right to assist therein be excluded, contrary to the tenor of it.

IV. As to the indemnification, his Imperial Majesty thinks it proper, that an account be taken of the damages, which according to the tenour of the amnesty published the in the year 1728, and of the resolution of the 12th of September, 1729, ought to be made good by the Renitents; and that the said account be communicated to them, that they may make their objections: after which his Imperial and Catholick Majesty will cause the difference to be amicably adjusted, or on failure of an accommodation, will, with the utmost equity, fix the sum which shall be required to make good the damages sustained.

V. His Imperial and Catholick Majesty persists in the intention he always had to take particular care of the payment of the interest of the sums which the States of East Friesland, and of the town of Embden, have borrowed of the subjects of the United Provinces, as also of the reimbursement of the capital, according to the engagements entered into on that account.

*Another Treaty concluded at Vienna the 22d of July, 1731,
between the Emperor of Great-Britain, and Spain.*

In the Name of the most Holy and Undivided Trinity.
Amen.

TO all and every one whom it doth or may concern,
Be it known, That different troubles having arisen, which seemed even to threaten the publick tranquility, about the introduction of the Spanish garrisons into the strong places of Tuscany, Parma and Placentia, which his Catholick Majesty thinks it proper to guard with his own troops instead of Neutral, which were to have been there, pursuant to what had been agreed upon in the treaty of the Quadruple Alliance: In consequence whereof, his
Impe-

Imperial and Catholick Majesty, and his Majesty the King of Great-Britain, to prevent the evils which might result therefrom, did formerly come to an agreement by the third article of the treaty, concluded and signed at Vienna the 16th of March this present year, and by two declarations thereunto annexed.

Now the said article, and the declarations thereon depending, having been communicated to his Majesty the Catholick King, according to his desire, and he having likewise seen that the said article and declarations tended only to render more secure to the Serene Infante Don Carlos his Son, the eventual succession to the Duchies of Tuscany, Parma and Placentia: In short, his said Catholick Majesty perceiving that the engagements entered into between him and his Majesty the King of Great-Britain, as they had been communicated to his Imperial and Catholick Majesty, and explained in the aforesaid declarations were entirely performed, he would not be wanting on his part, to do every thing in his power to establish the publick tranquillity on a surer foot.

To this end, on the part of his Sacred Imperial and Catholick Majesty, the most High Prince and Lord, Eugene, Prince of Piedmont and Savoy, actual Privy Counsellor to his said Imperial and Catholick Majesty, President of the Aulick Council of the Netherlands, and his Lieutenant General, Major General of the Holy Roman Empire, and his Vicar General in all the kingdoms and states of Italy, Colonel of a regiment of dragoons, and Knight of the Golden Fleece: and also the most illustrious and most excellent Lord, Philip Lewis, Hereditary Treasurer of the Holy Roman Empire, Count of Zinzendorf, Free Baron of Ernstbrunn, Lord of the lands of Gfol, the upper Selowitz, Porliz, Sabor, Mulzig, Lots, Zaan and Droskan, Burgrave of Reineck, Hereditary Master of the Horse, Great Cupbearer in Upper and Lower Austria on this side Ens, Knight of the Golden Fleece, Chamberlain to his Imperial and Catholick Majesty, actual Privy Counsellor, and first Chancellor of the Court; together with the most illustrious and most excellent Lord Thomas Gundacker, Count of the Holy Empire, of Staremburg, Schaumburg and Wevemburg, Lord of the lands of Echelber,

Echelber, Lichtehneg, Rottenegg, Freystat, Haus, Ober-Walsee, Senftenberg, Bodendorff, Hatwan, Knight of the Golden Fleece, actual Privy Counsellor to his Imperial and Catholick Majesty, and Hereditary Marshal of the archduchy of Upper and Lower Austria: And lastly, the most illustrious and most excellent Lord, Joseph Lothaire, Count of the Holy Empire, of Konigsfegg and Rothenfels, Lord of Aulenderff and Stauffen, actual Privy Counsellor to his Imperial and Catholick Majesty, Vice-president of the Aulic council of the Netherlands, General Field Marshal, Governor General of ———, Colonel of foot, and Knight of the order of the White Eagle in Poland. And on the part of his Majesty the Catholick King, the most illustrious and most excellent Lord James Francis Fitz-James, Duke of Liria and Xerica, Grandee of Spain of the first class, Knight of the Golden Fleece, of St. Andrew and St. Alexander of Ruffia, Alcalde-Major, first and perpetual Governor of the town of St. Philip, Chamberlain to his Majesty the Catholick King, Colonel, and his Minister Plenipotentiary to his said Imperial and Catholick Majesty. Lastly, on the part of his Majesty the King of Great-Britain, Thomas Robinson, Esq; Member of the parliament of Great-Britain, and his Minister to his said Imperial and Catholick Majesty. All which Ministers furnished with full power, after having conferred among themselves, and exchanged their said full powers, have agreed upon the articles and conditions following.

I. His sacred Majesty the Catholick King having maturely examined the third article of the treaty concluded the 6th of March the present year, having likewise maturely examined the declarations mentioned above, which article and two declarations are on the point of being executed, he has declared that he not only desires nothing more, but that he entirely acquiesces therewith. And in order to remove all occasion of doubt or dispute, his said Majesty has given assurances, that he consents and is ready to do his part, immediately towards renewing and confirming, in all their articles, clauses, and conditions, as well the treaty of London, commonly called the Quadruple Alliance, concluded the second of August, 1718, as the

peace of Vienna in Austria, signed the seventh of June, 1725, between his Sacred Imperial and Catholick Majesty, and the Holy Roman Empire on the one part, and his said Sacred Majesty the Catholick King on the other part, excepting only with regard to what is mentioned in the above-mentioned article and declarations, concerning the change of the neutral garrisons into Spanish garrisons; which article, and declarations, have been approved by their said Majesties, and again corroborated by the present treaty. For this end his Sacred Majesty the Catholick King has declared, as he does declare by virtue of this present article, that the treaties above-named shall be deemed to be fully renewed and confirmed again, in the same manner as they are by the present article renewed, and again confirmed: And his Majesty the Catholick King promises, as well for himself as for his heirs and successors, and in particular for him of his male-heirs who is to enter into the possession of the aforesaid Duchies of Tuscany, Parma and Placentia, by right of succession, by virtue of the said treaties, and according to the tenor of the letters of eventual investiture, expedited the 9th of December 1723, in case the male line of the families of Medicis and Farnese should happen to be intirely extinct; or lastly, for him to whom that succession shall devolve hereafter, That as well his said Majesty as his heirs and successors, and in particular, he of his male descendents to whom the said succession shall devolve, shall engage, and be obliged to do and perform every thing in general contained in the two treaties above-mentioned.

II. His Sacred Imperial and Catholick Majesty, and his Sacred Majesty the King of Great-Britain, do likewise promise on their side, and bind themselves to his Sacred Majesty the Catholick King, his heirs and successors, that in favour to the male line of the present Queen of Spain, the said male line having been called to the succession of the Duchies of Tuscany, Parma and Placentia, by virtue of the treaties above-named, and according to the tenor of the letters of eventual investiture, they will entirely accomplish all that is settled in the said third article of the treaty, concluded the 16th of March the present year, and in the two declarations mentioned as above; all in like manner, as his

his Sacred Imperial and Catholick Majesty, and his Sacred Majesty the King of Great-Britain, consenting to renew the said treaty of Quadruple Alliance; and his Sacred Imperial and Catholick Majesty consenting also to renew the peace of the 7th of June 1725, concluded between his said Majesty, and the Holy Roman Empire on the one part, and his Sacred Majesty the Catholick King on the other part. Their said Majesties promise and engage for themselves, their heirs and successors, faithfully to perform in favour of his Majesty the Catholick King, his heirs and successors, all that they have engaged to do by virtue of their consent to renew, viz. his Sacred Imperial and Catholick Majesty every thing contained, as well in the Quadruple Alliance, as in the said treaty of peace concluded the seventh of June, 1725, and his Sacred Majesty the King of Great-Britain, every thing which he is engaged to do by the treaty of Quadruple Alliance.

III. Every thing which has hitherto been settled by the common and unalterable consent of the contracting parties, whether in relation only to the introduction of the Spanish troops, or to the introduction of the Serene Infante of Spain Don Carlos, into the Duchies of Parma and Placentia, according to the tenor of the treaty of Quadruple Alliance, is to serve as a rule in case the vacancy remain; in such manner, however, that in this last case, the said Serene Infante of Spain Don Carlos, or he who according to the fifth article of the Quadruple Alliance, shall be called to that eventual succession after him, may and ought to enter into possession of those Duchies, precisely in the manner expressed in the letters of eventual investiture, dispatched the 9th of December, 1723.

IV. Forasmuch as care has been taken to communicate long since, and at different times, to the Serene Princes the Great Duke of Tuscany, and the Duke of Parma and Placentia, who were then both living, every thing that had been regulated by the 5th article of the quadruple alliance, in favour of the Serene Infante of Spain, Don Carlos, or in favour of those who succeed to his rights, pursuant to the treaties above-mentioned, together with the fore-mentioned engagements between his Sacred Majesty the Catholick King and his Sacred Majesty the King

of Great-Britain: moreover, the above-mentioned third article of the treaty concluded at Vienna the 16th of March this year, and the two declarations thereto annexed, having likewise been communicated to the Great Duke of Tuscany's Minister, and to the Minister of Parma, both residing at the Imperial Court; and because there is nothing more capable of securing the publick tranquillity, than to remove at once all the obstacles and all the difficulties which might be started, and retard the execution of what has been agreed upon between the contracting parties: for these reasons, his Sacred Imperial and Catholick Majesty, and his Sacred Majesty the King of Great-Britain, have promised and obliged themselves, each for himself, bona fide, to try all manner of ways, as soon as the present treaty shall be signed, to engage also the Serene Duke of Tuscany to consent forthwith, not only to the introduction of Spanish troops so often mentioned, but also to whatever has been formerly regulated in favour of the male line of the present Queen of Spain, by the treaties, conventions, and declarations above cited; in such manner, however, that all that is above-mentioned shall not take place till after the mutual exchange of the ratifications, even though the Great Duke of Tuscany should give his consent to it sooner.

V. Furthermore, his Sacred Imperial and Catholick Majesty, and his Sacred Majesty the King of Great-Britain declare, that they desire nothing more than to see the Serene Great Duke of Tuscany acquiesce with every thing that has been settled in the treaties above-mentioned, for the preservation of his dignity and repose, as well as for his own safety and that of the States which he governs. Wherefore the said contracting powers promise and engage, not only to one another, but also to his Royal Highness, to look upon all and every point settled in the treaties above-mentioned to be renewed and confirmed, as well with regard to his dignity, as with regard to his safety, and that of the States which are under him: and they undertake to maintain, fulfil, or, as it is called, to guaranty them.

VI. And because for attaining to this end, and to finish the wholesome work which the contracting parties have under-

undertaken, viz. the entire establishment of the publick tranquillity, nothing has been thought of more importance than the accession of the Serene Great Duke to the present treaty; therefore the said contracting parties have judged it proper to invite his Royal Highness to the said accession, in the most friendly manner that can be, as they do expressly invite him by the present article; to the end that his Royal Highness concurring on his part to so advantageous a work, the publick tranquillity of Europe may be better secured.

VII. The present treaty shall be ratified and approved by his Sacred Imperial and Catholick Majesty, by his Sacred Majesty the Catholick King, and by his Sacred Majesty the King of Great-Britain; and the letters of ratification shall be communicated and exchanged at Vienna in Austria, in the space of two months, to be reckoned from the day of signing the present treaty, or sooner if it can be done:

In witness whereof, the Commissioners of his Imperial Majesty, in the quality of Ambassadors Plenipotentiaries extraordinary, and the Ministers of their Catholick and Britannick Majesties furnished in like manner with full powers, to give the necessary force to the present treaty, have signed it with their own hands, and sealed it with their seals: Done at Vienna in Austria, the 22d day of July, A. D. 1731:

- (L. S.) *Eugene of Savoy:*
- (L. S.) *P. L. Count of Sinzendorf:*
- (L. S.) *G. Count of Staremborg.*
- (L. S.) *J. L. Count of Konigsegg.*
- (L. S.) *J. Duke of Liria.*
- (L. S.) *Thomas Robinson.*

*Convention between the Crowns of Great-Britain and Spain,
concluded at the Pardo on the 14th of January, 1739,
N. S.*

WHEREAS differences have arisen, of late years, between the two crowns of Great-Britain and Spain, on account of the visiting, searching, and taking of vessels, the seizing of effects, the regulating of limits, and other grievances alledged on each side, as well in the West-Indies, as elsewhere; which differences are so serious, and of such a nature, that if care be not taken to put an entire stop to them for the present, and to prevent them for the future, they might occasion an open rupture between the said crowns; for this reason his Majesty the King of Great-Britain, and his Majesty the King of Spain, having nothing so much at heart as to preserve and corroborate the good correspondence, which has so happily subsisted, have thought proper to grant their full powers, viz. his Britannic Majesty to Benjamin Keene, Esq; his minister plenipotentiary to his Catholic Majesty, and his Catholic Majesty to Don Sebastian de la Quadra, Knight of the order of St. James, counsellor of state, and first secretary of state and of the dispatches; who after previously producing their full powers, having conferred together, have agreed upon the following articles.

Article I.

Whereas the ancient friendship, so desirable and so necessary for the reciprocal interest of both nations, and particularly with regard to their commerce, cannot be established upon a lasting foundation, unless care be taken, not only to adjust and regulate the pretensions for reciprocal reparation of the damages already sustained, but above all to find out means to prevent the like causes of complaint for the future, and to remove absolutely, and for ever, every thing which might give occasion thereto; it is agreed to labour immediately, with all imaginable application and diligence, to attain so desirable an end; and for that purpose there shall be named, on the part of their Britannic and Catholic Majesties respectively, immediately after

after the signing of the present convention, two ministers plenipotentiaries, who shall meet at Madrid within the space of six weeks, to be reckoned from the day of the exchange of the ratifications, there to confer, and finally regulate the respective pretensions of the two crowns, as well with relation to the trade and navigation in America and Europe, and to the limits of Florida and of Carolina, as concerning other points, which remain likewise to be adjusted; the whole according to the treaties of the years 1667, 1670, 1713, 1715, 1721, 1728, and 1729, including that of the asiento of negroes, and the convention of 1716; and it is also agreed, that the plenipotentiaries, so named, shall begin their conferences six weeks after the exchange of the ratifications, and shall finish them within the space of eight months.

Article II.

The regulation of the limits of Florida and of Carolina, which, according to what has been lately agreed, was to be decided by commissaries on each side, shall likewise be committed to the said plenipotentiaries, to procure a more solid and effectual agreement; and during the time that the discussion of that affair shall last, things shall remain in the aforesaid territories of Florida and of Carolina in the situation they are in at present, without increasing the fortifications there, or taking any new posts; and for this purpose, his Britannic Majesty and his Catholic Majesty shall cause the necessary orders to be dispatched immediately after the signing of this convention.

Article III.

After having duly considered the demands and pretensions of the two crowns, and of their respective subjects, for reparation of the damages sustained on each side, and all circumstances which relate to this important affair; it is agreed, that his Catholic Majesty shall cause to be paid to his Britannic Majesty the sum of ninety five thousand pounds sterling for a balance, which has been admitted as due to the crown and the subjects of Great-Britain, after

deduction made of the demands of the crown and subjects of Spain ; to the above-mentioned sum, together with the amount of what has been acknowledged on the part of Great-Britain to be due to Spain on her demands, may be employed by his Britannic Majesty for the satisfaction, discharge, and payment, of the demands of his subjects upon the crown of Spain ; it being understood, nevertheless, That it shall not be pretended, that this reciprocal discharge extends, or relates to the accounts and differences, which subsist, or are to be settled between the crown of Spain and the company of the asiento of Negros, nor to any particular or private contracts that may subsist between either of the two crowns, or their ministers with the subjects of the other, or between the subjects and subjects of each nation respectively ; with exception however of all pretensions of this class mentioned in the plan presented at Seville by the commissaries of Great-Britain, and included in the account lately made out at London, of damages sustained by the subjects of the said crown, and especially the three particulars inserted in the said plan, and making but one article in the account, amounting to one hundred nineteen thousand five hundred twelve piastres, three reals and three quartils of plate ; and the subjects on each side shall be entitled, and shall have liberty to have recourse to the laws, or to take other proper measures, for causing the abovesaid engagements to be fulfilled, in the same manner as if this convention did not exist.

Article IV.

The value of the ship called the Woolball, which was taken and carried to the port of Campechy in the year 1732, the Loyal Charles, the Dispatch, the George and the Prince William, which were carried to the Havana in the year 1737, and the St. James to Porto Rico in the same year, having been included in the valuation that has been made of the demands of the subjects of Great-Britain, as also several others that were taken before ; if it happens, that in consequence of the orders that have been dispatched by the court of Spain for the restitution of them, part, or the whole of them have been restored, the sums so received shall

shall be deducted from the 95,000*l.* sterling, which is to be paid by the court of Spain according to what is above stipulated: it being however understood, that the payment of the 95,000*l.* sterling shall not be, for that reason, in any manner delayed; saving that what may have been previously received shall be restored.

Article V.

The present convention shall be approved and ratified by his Britannic Majesty and by his Catholic Majesty; and the ratifications thereof shall be delivered and exchanged at London within the space of six weeks, or sooner if it can be done, to be reckoned from the day of the signing.

In witness whereof, We the underwritten ministers plenipotentiaries of his Britannic Majesty and of his Catholic Majesty, by virtue of our full powers, have signed the present convention, and caused the seal of our arms to be affixed thereto. Done at the Pardo the 14th day of January, 1739.

B. Keene
(L. S.)

Sebastian de la Quadra,
(L. S.)

His Britannic Majesty's Full Power.

G E O R G E R.

GEORGE the Second, by the Grace of God, of Great-Britain, France, and Ireland, King, Defender of the Faith, Duke of Brunswic and Lunenburg, Arch-Treasurer of the Holy Roman Empire, and Prince Elector, &c. To all and singular to whom these presents shall come greeting. Whereas certain differences have arisen, of late years, between us, and our good brother the King of Spain, concerning the visiting and searching of merchant ships, and the seizing of them and of their goods and merchandizes, the regulation of limits, and other grievances alledged on each side, as well in the West-Indies,

Indies, as elsewhere; which, if care be not taken to put an end to them at present, and provision made that the like may not happen for the future, might at length occasion an open rupture. And whereas we have nothing so much at heart, as to take care, by settling the rights, on each side, according to the tenor of the treaties, and by removing, as much as can be done; all cause of complaint for the future, to establish and preserve; for ever; the friendship that has subsisted between us and the King of Spain; and whereas the aforesaid King of Spain has declared, That he will willingly concert with us the proper measures for obtaining so desirable an end: Know ye therefore, that we reposing special trust, in the fidelity, prudence, integrity and diligence of our trusty and well-beloved Benjamin Keene, Esq; our minister plenipotentiary at the court of the aforesaid Catholic King, have nominated, made, and appointed the said Benjamin Keene, as We do, by these presents, nominate, make and appoint him our true, certain and undoubted commissioner, procurator and plenipotentiary, giving and granting to him, all, and all manner of faculty, power and authority, together with general as well as special order, (so as the general do not derogate from the special, and so on the contrary) to meet, treat, confer and conclude for Us, and in Our name, with the minister or ministers furnished with sufficient power on the part of our good brother the Catholic King, of and upon such treaty or treaties, convention or conventions, as may most conduce to the above mentioned purposes, as also upon articles, whether secret or separate; and lastly, upon all things which shall seem most proper for promoting and perfecting the said work; and in our name to sign, and mutually to deliver, and receive, what shall be so concluded and agreed, and to do and perform all other things necessary to be done, in as ample manner and form, as We Ourselves, were We present, would do and perform; engaging and promising on Our royal word, that whatever shall be concluded by our said commissioner, procurator, and plenipotentiary, We will ratify, approve, and accept it all in the best manner; and that We will never suffer any person to violate the same in the whole, or in part, or to act contrary thereto.

thereto. In witness and confirmation of all which, We have caused our great seal of Great-Britain to be affixed to these presents, signed with our royal hand. Given at our palace at St. James's, the ninth day of the month of November, in the year of our Lord, one thousand seven hundred and thirty-eight, and of our reign the twelfth.

His Catholick Majesty's Full Power.

DON Philip, by the Grace of God, King of Castile, of Leon, of Arragon, of the Two Sicilies, of Jerusalem, of Navarre, of Granada, of Toledo, of Valencia, of Galicia, of Mayorca, of Seville, of Sardinia, of Cordova, of Corfica, of Murcia, of Jaen, of the Algarves, of Algezira, of Gibraltar, of the Canary Islands, of the East and West Indies, Islands and Terra Firma, of the Ocean Sea, Archduke of Austria, Duke of Burgundy, of Brabant, and Milan, Count of Abspurg, of Flanders, Tirol and Barcelona, Lord of Biscay, and of Molina, &c. Whereas the differences arisen between this crown and that of England, by reason of the captures made by our guarda costas in America, visits, and other proceedings, of the limits of the dominions of both in those regions, and of other points equally worthy of examination and remedy, no less there than in Europe, did require a speedy, secure disposition to settle them all amicably. And whereas the King of Great-Britain, our good brother, has manifested to us his desire to concur to so salutary an end as that of quieting the two nations, by the means of a reciprocal agreement, to be preceded by a convention, wherein some difficulties, which might without this step obstruct it, should be removed: now there concurring in you Don Sebastian de la Quadra, Knight of the order of St. James, of our council of state, and our first secretary of state, and of the dispatch, the good qualities that are known to our experience and confidence, We do authorize and give you Our whole full power, as is justly requisite, in the best and most ample manner, to the end that you may, according to the rule of the treaties, discuss, dispose, determine and sign the said convention, with the separate or
secret

secret articles that shall seem to you to be necessary for the rendering of them more clearly solid, and for the common utility of our kingdoms; and to the end that you may exchange and receive the instrument, or instruments, that shall be stipulated and made, by virtue of the above-mentioned convention, the which and all others besides that you shall treat, debate, determine and sign, We promise to fulfil and keep on the faith of Our royal word, and to command to be fulfilled and kept in the same manner, and with the same religious integrity; in pursuance whereof, I have ordered the present full power to be dispatched, signed with Our hand, sealed with Our secret seal, and counter-signed by our secretary of state and of the dispatch of favour and justice; at the Pardo, the 10th of January, 1739.

I T H E K I N G.

Don Joseph Rodrigo.

First separate Article:

WHEREAS it has been agreed by the first article of the convention, signed this day, between the ministers plenipotentiaries of Great-Britain and Spain, that there shall be named on the part of their Britannick and Catholick Majesties respectively, immediately after the signing the abovesaid convention, two ministers plenipotentiaries, who shall meet at Madrid within the space of six weeks, to be reckoned from the day of the exchange of the ratifications; their said Majesties, to the end that no time may be lost in removing, by a solemn treaty, which is to be concluded for that purpose, all cause of complaint for the future, and in establishing, thereby, a perfect good understanding, and a lasting friendship, between the two crowns, have named, and do by these presents name, viz. His Britannic Majesty, Benjamin Keene, Esq; his said Majesty's minister plenipotentiary to his Catholick Majesty, and Abraham Castres, Esq; his said Britannick Majesty's consul general at the court of his Catholick Majesty, his plenipotentiaries for that purpose; and

and his Catholic Majesty, Don Joseph de la Quintana, his counsellor in the supreme council of the Indies, and Don Stephen Joseph de Abaria, knight of the order of Calatrava, counsellor in the same council, and superintendent of the chamber of accounts, who shall be immediately instructed to begin the conferences: and whereas it has been agreed by the 3d article of the convention signed this day, that the sum of ninety five thousand pounds sterling, is due on the part of Spain, as a balance to the crown and subjects of Great-Britain, after deduction made of the demands of the crown and subjects of Spain: his Catholick Majesty shall cause to be paid at London, within the term of four months, to be reckoned from the day of the exchange of the ratifications, or sooner if it be possible, in money, the above-mentioned sum of ninety five thousand pounds sterling, to such persons as shall be authorized, on the part of his Britannick Majesty, to receive it.

This separate article shall have the same force, as if it was inserted word for word in the convention signed this day; it shall be ratified in the same manner, and the ratifications thereof shall be exchanged at the same time as those of the said convention.

In witness whereof, We the under-written ministers, plenipotentiaries of his Britannick Majesty, and of his Catholick Majesty, by virtue of our full powers, have signed this separate article, and have caused the seals of our arms to be affixed thereto. Done at the Pardo, the 14th day of January, 1739.

B. Keene,
(L. S.)

Don Sebastian de la Quadra.
(L. S.)

Second separate Article.

WHEREAS the under-written ministers plenipotentiaries of their Britannick and Catholick Majesties have this day signed, by virtue of full powers from the Kings their masters for that purpose, a convention for settling

ting and adjusting all the demands, on each side, of the crowns of Great-Britain and Spain, on account of seizures made, ships taken, &c. and for the payment of a balance that is thereby due to the crown of Great-Britain; it is declared, that the ship called the *Success*, which was taken on the 14th day of April, 1738, as she was coming out from the island of Antigua, by a Spanish guarda costa, and carried to Porto Rico, is not comprehended in the aforesaid convention; and his Catholick Majesty promises, that the said ship and its cargo shall be forthwith restored, or the just value thereof, to the lawful owners; provided that, previous to the restitution of the said ship the *Success*, the person or persons interested therein do give security at London to the satisfaction of Don Thomas Geraldino, his Catholick Majesty's minister plenipotentiary, to abide by what shall be decided thereupon by the ministers plenipotentiaries of their said Majesties, that have been named for finally settling, according to the treaties, the disputes which remain to be adjusted between the two crowns; and his Catholick Majesty agrees, as far as shall depend upon him, that the above-mentioned ship the *Success* shall be referred to the examination and decision of the plenipotentiaries; his Britannick Majesty promises likewise to refer, as far as shall depend upon him, to the decision of the plenipotentiaries, the brigantine *Santa Theresa*, seized in the port of Dublin in Ireland, in the year 1735. And the said under-written ministers plenipotentiaries declare by these presents, that the 3d article of the convention, signed this day, does not extend, nor shall be construed to extend to any ships or effects that may have been taken or seized since the 10th day of December, 1737, or may be hereafter taken or seized; in which cases justice shall be done according to the treaties, as if the aforesaid convention had not been made; it being however understood, that this relates only to the indemnification and satisfaction to be made for the effects seized, or prizes taken, but that the decision of the cases, which may happen, in order to remove all pretext for dispute, is to be referred to the plenipotentiaries, to be determined by them according to the treaties.

This separate article shall have the same force, as if it was inserted word for word in the convention signed this day: it shall be ratified in the same manner, and the ratifications thereof shall be exchanged at the same time as those of the said convention.

In witness whereof, We the under-written ministers plenipotentiaries of his Britannick Majesty, and of his Catholick Majesty, by virtue of our full powers, have signed the present separate article, and have caused the seals of our arms to be affixed thereto. Done at the Pardo, January the 14th, 1739.

B. Keene,
(L. S.)

Sebastian de la Quadra,
(L. S.)

His Britannick Majesty's Ratification of the Convention.

GEORGE the Second, by the Grace of God, of Great-Britain, France and Ireland, King, Defender of the Faith, Duke of Brunswick and Lunenburg, Arch-Treasurer of the Holy Roman Empire, and Prince Elector, &c. To all and singular to whom these presents shall come, greeting. Whereas a certain convention between Us, and our good brother Philip the Fifth, Catholick King of Spain, was concluded and signed by our minister plenipotentiary Benjamin Keene, Esq; and by the minister plenipotentiary of our good brother, the aforesaid Catholick King, Don Sebastian de la Quadra, Knight of the order of St. James, counsellor of state of his said Catholick Majesty, and his first secretary of state and of the dispatch, at the palace called the Pardo, on the fourteenth day of this present month of January, N. S. The tenor whereof follows.

Fiat Inscriptio.

We having seen and considered the convention above-written, have approved, ratified, accepted and confirmed, as, by these presents, We do, for Us, our heirs and Successors,

cessors, approve, ratify, accept, and confirm the same, in all and singular its clauses, engaging and promising, upon Our royal word, sincerely and faithfully to perform and observe all and singular the things which are contained in the aforesaid convention, and never to suffer any person to violate them, or in any manner to act contrary thereto. In witness and confirmation of all which, We have caused our great seal of Great-Britain to be affixed to these presents, signed with Our royal hand. Given at our palace at St. James's, the twenty-fourth day of the month of January, in the year of our Lord one thousand seven hundred thirty $\frac{8}{9}$, and of our reign the twelfth.

G E O R G E R.

His Catholick Majesty's Ratification of the Convention.

DON Philip, by the Grace of God, King of Castile, of Leon, of Arragon, of the Two Sicilies, of Jerusalem, of Navarre, of Granada, of Toledo, of Valencia, of Gallicia, of Mayorca, of Seville, of Sardinia, of Cordova, of Corsica, of Murcia, of Jaen, of the Algarbes, of Algezira, of Gibraltar, of the Canary islands, of the East and West Indies, islands and Terra Firma of the Ocean Sea, Arch-Duke of Austria, Duke of Burgundy, of Brabant and Milan, Count of Abspurg, of Flanders, Tirol and Barcelona, Lord of Biscay and of Molina, &c. Whereas there has been adjusted, concluded and signed at the royal seat of the Pardo, on the fourteenth of the present month and year, between our minister plenipotentiary Don Sebastian de la Quadra, Knight of the order of St. James, of our council of state, and our first secretary of state, and of the dispatch. and Mr. Benjamin Keene, minister plenipotentiary from the King of Great-Britain, our good brother, a convention, which is of the tenor following.

Fiat Inscriptio.

Now we do approve and ratify all that is comprehended in the convention above-mentioned, and being thus approved

proved and ratified in the most ample manner that we are able, We promise, on the faith and word of a king, to observe it and keep it, and to command it to be executed and fulfilled in the same manner, as if We had treated it in our own person, without doing, or letting be done, in any manner whatsoever, or permitting to be done any thing to the contrary; and that, if it should be done, We will order it to be repaired in effect, without difficulty or delay. In witness whereof we give this present, signed with our hand, sealed with our secret seal, and countersigned by our underwritten counsellor of state, and first secretary of state, and of the dispatch. Given at the Pardo, the 15th of January, one thousand seven hundred and thirty-nine.

I T H E K I N G.

Sebastian de la Quadra.

His Britannick Majesty's Ratification of the First
separate Article.

GEORGE the Second, by the Grace of God, of Great-Britain, France and Ireland, King, Defender of the Faith, Duke of Brunswick and Lunenburg, Arch-Treasurer of the Holy Roman Empire, and Prince Elector, &c. To all and singular, to whom these presents shall come, greeting. Whereas a certain separate article, entitled the first, belonging to the convention between Us and our good brother, Philip the Fifth, Catholick King of Spain, concluded and signed at the palace called the Pardo, on the fourteenth day of this present month of January, N. S. by our minister plenipotentiary Benjamin Keene, Esq; and by the minister plenipotentiary of our good brother the aforesaid Catholick King, Don Sebastian de la Quadra, Knight of the order of St. James, counsellor of state of his said Catholick Majesty, and his first secretary of state, and of the dispatch, was concluded and signed at the same place, and on the same day, the tenor whereof follows.

Fiat Insertio.

We having seen and considered the above-written first separate article, have approved, ratified, accepted and confirmed, as by these presents, We do, for Us, our heirs and successors, approve, ratify, accept and confirm the same, engaging and promising, upon Our royal word, to perform and observe all and singular the things which are contained in the aforesaid separate article in like manner as the convention itself. In witness and confirmation of all which, We have caused our great seal of Great-Britain to be affixed to these presents, signed with Our royal hand. Given at our palace at St. James's, the twenty-fourth day of the month of January, in the year of our Lord one thousand seven hundred thirty^{eight}/_{nine}, and of our reign the twelfth.

G E O R G E R.

His Britannick Majesty's Ratification of the Second
separate Article.

GEORGE the Second, by the Grace of God, of Great-Britain, France and Ireland, King, Defender of the Faith, Duke of Brunswick and Lunenburg, Arch-Treasurer of the Holy Roman Empire, and Prince Elector, &c. To all and singular to whom these presents shall come, greeting. Whereas a certain separate article, entitled the Second, belonging to the convention between Us, and our good brother Philip the Fifth, Catholick King of Spain, concluded and signed at the palace called the Pardo, on the fourteenth day of this present month of January, N. S. by our minister plenipotentiary, Benjamin Keene, Esq; and by the minister plenipotentiary of our good brother, the aforesaid Catholick King, Don Sebastian de la Quadra, Knight of the order of St. James, counsellor of state of his said Catholick Majesty, and his first secretary of state and of the dispatch, was concluded and signed at the same place, and on the same day, the tenor whereof follows:

Fiat Inscriptio.

We having seen and considered the above-written Second separate article, have approved, ratified, accepted and confirmed, as, by these presents, We do, for Us, our heirs and Successors, approve, ratify, accept, and confirm the same, engaging and promising, upon Our royal word, to perform and observe all and singular the things which are contained in the aforesaid separate article, in like manner as the convention itself. In witness and confirmation of all which, We have caused our great seal of Great-Britain to be affixed to these presents, signed with Our royal hand: Given at our palace at St. James's, the twenty-fourth day of the month of January, in the year of our Lord one thousand seven hundred thirty $\frac{\text{eight}}{\text{nine}}$, and of our reign the twelfth.

G E O R G E R.

His Catholick Majesty's Ratification of the First separate Article.

DON Philip, by the Grace of God, King of Castile, of Leon, of Arragon, of the Two Sicilies, of Jerusalem, of Navarre, of Granada, of Toledo, of Valencia, of Galicia, of Mayorca, of Seville, of Sardinia, of Cordova, of Corsica, of Murcia, of Jaen, of the Algarbes, of Algezira, of Gibraltar, of the Canary islands, of the East and West Indies, islands and Terra Firma of the Ocean Sea, Arch-Duke of Austria, Duke of Burgundy, of Brabant and Milan, Count of Abspurg, of Flanders, Tirol and Barcelona, Lord of Biscay and of Molina, &c. Whereas at the same time, that at the royal seat of the Pardo, on the fourteenth of the present month and year, there was a convention concluded and signed, between our minister plenipotentiary Don Sebastian de la Quadra, Knight of the order of St. James, our counsellor of state, and our first secretary of state, and of the dispatch, and the minister plenipotentiary of the King of Great-Britain, Mr. Benjamin Keene, there was also concluded and signed a separate article of the tenor following.

Fiat Infertio,

Now the same having been seen and examined, We have thought fit to approve it and ratify it, (as by virtue of this present, We do approve and ratify it) in the best and most ample manner that We are able, according, and as it is mentioned and expressed therein; promising on the faith of our royal word, to fulfil it entirely, and that it shall have the same vigour and force as if it had been inserted in the said convention. In witness whereof, We have ordered this present to be dispatched, signed with Our hand, sealed with Our secret seal, and counter-signed by our under-written counsellor of state, and first secretary of state and of the dispatch. Given at the Pardo, the 15th of January, one thousand seven hundred and thirty-nine.

I T H E K I N G.

*Sebastian de la Quadra.*His Catholick Majesty's Ratification of the Second
separate Article.

DON Philip, by the Grace of God, King of Castile, of Leon, of Arragon, of the Two Sicilies, of Jerusalem, of Navarre, of Granada, of Toledo, of Valencia, of Galicia, of Majorca, of Seville, of Sardinia, of Cordova, of Corfica, of Murcia, of Jaen, of the Algarves, of Algezira, of Gibraltar, of the Canary Islands, of the East and West Indies, Islands and Terra Firma, of the Ocean Sea, Archduke of Austria, Duke of Burgundy, of Brabant, and Milan, Count of Abspurg, of Flanders, Tirol and Barcelona, Lord of Biscay, and of Molina, &c. Whereas at the same time, that at the royal seat of the Pardo, on the fourteenth of the present month and year, there was a convention concluded and signed between our minister plenipotentiary Don Sebastian de la Quadra, Knight of the order of St. James, our counsellor of state, and our first secretary of state and of the dispatch, and the minister plenipotentiary of the King of Great-Britain, Mr. Benjamin

Benjamin Keene, there was also concluded and signed a separate article, of the tenor following.

Fiat Insertio.

Now the same having been seen and examined, We have thought fit to approve it and ratify it, (as by virtue of this present, We do approve and ratify it) in the best and most ample manner that we are able, according, and as it is mentioned and expressed therein; promising on the faith of our royal word, to fulfil it entirely, and that it shall have the same vigor and force as if it had been inserted in the said convention. In witness whereof, We have ordered this present to be dispatched, signed with our hand, sealed with our secret seal, and counter-signed by our under-written counsellor of state, and first secretary of state and of the dispatch. Given at the Pardo, the 15th day of January, one thousand seven hundred and thirty-nine.

I T H E K I N G.

Sebastian de la Quadra,

The definitive Treaty of Peace, Union, Friendship, and Mutual Defence, between the Crowns of Great Britain, Hungary, and Sardinia, concluded at Worms on the $\frac{2}{3}$ of September, 1743.

GEORGE the Second, by the grace of God, King of Great-Britain, France, and Ireland, Defender of the Faith, Duke of Brunfwick, and Lunenburg, Arch-Treasurer, and Prince Elector of the Holy Roman Empire, &c. To all and singular to whom these presents shall come, greeting. Whereas the Ministers plenipotentiary, as well on our part, as on the part of our good Brother the King of Sardinia, &c. and of our good Sister the Queen of Hungary and Bohemia, &c. being assembled at Worms, and sufficiently authorized thereto, did conclude, and sign a certain treaty of mutual friendship and perpetual alli-

ance, on the $\frac{2}{13}$ day of the present month of September, in the form and words following.

In the Name of the most Holy Trinity.

BE it known to all, and every one, to whom it appertains, or may appertain, in any manner whatsoever.

Forasmuch as the disturbances, which, upon the decease of the Emperor Charles the Sixth, of glorious memory, without male issue, arose in Germany, notwithstanding the express tenor of the most solemn and recent treaties of peace and alliance, corroborated by the authentick guaranty of the body of the Empire, which do assure to his eldest daughter, and to her posterity, the entire and indivisible succession to his hereditary dominions, do manifestly tend to the overthrow of all balance in Europe, and do expose its liberty, and that of its commerce, to the most evident danger: which danger is still increased by the conquest which the Kings of Spain and Naples have openly undertaken to make of the dominions possessed by the most Serene House of Austria in Italy, contrary to the faith of their own engagements; after which, the rest of Italy would no longer be able to resist them, and all the coasts of the Mediterranean sea would be under subjection to one and the same family.

To obviate, as much as in them lies, such imminent evils, and an enterprize, whose consequences would be so fatal to all the Princes and States of Italy, to their liberty and commerce, and to that of the maritime powers in the Mediterranean Sea, the most Serene and most potent Prince George the Second, King of Great-Britain, Elector of Brunswick, Lunenburg, &c. the most Serene and most potent Princess Maria Theresia, Queen of Hungary and Bohemia, Archduchess of Austria, &c. and the most serene and most potent Prince Charles Emanuel King of Sardinia, Duke of Savoy, &c. having such an essential interest in the preservation of a just balance in Europe, on which depends the liberty of Europe, and in the maintenance of the liberty and security of Italy in particular, on which depends that of its commerce, and of the commerce of the Mediterranean,

terreanean, have resolved to enter into a closer and more inseparable union, in this fixt intention, and to persevere invariably in joining their forces and counsels in order to obtaining the effect desired therefrom, and more especially for the sake of repelling, with one accord, the unjust invasion made by the Kings of Spain and Naples, and for securing Italy, if possible, for the future, from all attempts of the same kind.

In this view, and in order to prevent the said invasion, without loss of time, his Majesty the King of Sardinia did enter, from the 1st day of February, 1742, into a provisional convention with her Majesty the Queen of Hungary, the tenor whereof is as follows.

As it is sufficiently evident, that the motions of the Spanish troops, which having landed in the States of the Præsidii, are advancing in the dominions of the Pope, in order to join those of Naples, and from thence to pursue their march as far as Imola, are bent, according to certain intelligence, towards Lombardy, and must necessarily very much affect his Majesty the King of Sardinia, as well as her Majesty the Queen of Hungary and Bohemia, their Majesties have thought, by the means of the Marquis d'Ormea and of the Count de Schulenbourg (they being respectively provided with the necessary full powers) of concerting and agreeing upon the following articles, under the hopes of their being ratified and accepted.

Article I,

The forces of her Majesty the Queen of Hungary alone, which are now in Italy, appearing sufficient to make head against the aggressors, they shall be brought together, in order to march towards them, and to give an immediate check to their progress, and particularly in order to cover the States of Modena, and Mirandola, which are as it were, a bulwark to the dominions of the Queen of Hungary in Italy,

Article II,

The said King of Sardinia shall, in the mean while, have a considerable body of his troops upon the frontiers

of his dominions towards the borders of the Milaneſe, and of the Duchy of Placentia, which ſhall be diſpoſed in ſuch a manner, as that they may be brought together in a ſhort time; and in caſe the forces of the aggreſſors ſhould come to be augmented, and that there ſhould be cauſe to fear a new invaſion on any other ſide, as is probable, according to the advices that have been received, that a ſecond convoy of Spaniſh troops has already ſet ſail at Barcelona, and that they are to land in the harbour of La Spezia, his Maſteſty ſhall then co-operate with all his forces for preventing the body of Auſtrian troops, which ſhall have marched forward, from being either taken in flank, or intercepted by that new reinforcement of Spaniſh troops; and to this end, all the paſſages in the States above-mentioned, and principally, the places of Parma, Placentia, and Pavia, ſhall remain free and open to the King's troops for their convenience and ſecurity.

Article III.

As to what relates to further motions, and ſuch other military operations, as might be afterwards undertaken, as they muſt depend upon the circumſtances which fall out from day to day, it is neceſſary to refer them to the concert which ſhall be entered into, in proportion to the circumſtances which ſhall happen; and for this purpoſe, his Maſteſty the King of Sardinia ſhall ſend one of his general officers to the army of her Maſteſty the Queen of Hungary, and her Maſteſty the Queen of Hungary ſhall ſend one of her's likewiſe to reſide with his Maſteſty the King of Sardinia: To which general officers ſhall be reciprocally communicated, all the advices that ſhall be received about the enemy; and all the reſolutions which ſhall be taken on either ſide ſhall be concerted with them.

Article IV.

Nothing being ſo neceſſary towards obtaining the end deſired on each ſide, as the reciprocal ſecurity of the reſpective poſſeſſions, and rights, and a confidence in the good faith of the parties, who are to co-operate towards the ſame end, his Maſteſty the King of Sardinia promiſes,
upon

upon the faith and word of a Prince, to her Majesty the Queen of Hungary; First, That, for as long time as the present provisional agreement shall last, he will not avail himself of his pretended rights to the state of Milan, which are not entered into in this provisional convention, forasmuch as the Queen of Hungary cannot admit them, and the King of Sardinia on the contrary thinks them founded; and Secondly, That if it should be necessary that his said Majesty should enter, with his forces, into any one of the states above-mentioned, he will not exercise in the same any act of sovereignty, and will not in any wise hinder the Queen of Hungary from continuing to exercise them in the manner, that that princess has done it hitherto; neither will his Majesty exact any contribution, and will content himself in the said case with being furnished with such things as are indispensably requisite to an army; as for instance, forage, wood, quarters, carts, beds, caferns, and straw, the rations whereof shall be regulated upon the foot on which they are usually allowed to his troops; as also horses, mules, and oxen, for the use of the artillery, and victuals.

Article V.

On the other hand, her Majesty the Queen of Hungary declares in the like solemn manner, that it is not her meaning, that the abovesaid promises of his Majesty the King of Sardinia, nor the execution of them, should prejudice the rights by him pretended to the state of Milan, nor ever to avail herself of them, so as to infer from thence that the said rights were no longer subsisting; the intention of the two high contracting parties being to preserve to each of them their respective rights in their full force, in such manner as they may appertain to them, independently of the present convention.

Article VI.

And it is likewise in this view, that his Majesty the King of Sardinia reserves to himself expressly the entire liberty of availing himself of his said rights, at whatever time,

time, and by whatever means, either by himself singly, or by such alliance as he shall judge to be most for his convenience.

Article VII.

But as his Majesty does not mean to acquire any advantage by the said reservation, and designs to proceed with all the good faith, which is natural to him, he promises and engages, in the case above-mentioned, not to act himself, nor to permit any prince, with whom he might be allied, to act, (which his Majesty will take care to stipulate as a principal condition, in any treaty whatsoever, which he might conclude) sooner than after the space of one month, from the time that he shall have caused notice to be given by the means of the general officer, which he shall have at the Queen of Hungary's army; to the end that the commanding officer of the Austrian troops, being thus put upon his guard, may take such measures and resolutions, as he shall judge most for his advantage.

Article VIII.

Moreover the King of Sardinia promises, in that case, to make his troops evacuate all the dominions of the Queen of Hungary, and all the places and posts, which he should have taken possession of during the present provisional agreement, without carrying any thing off; to the end that the troops of the abovesaid Queen, may, during the said month, retake, freely, and without any hindrance, the posts which they shall think proper.

Article IX.

The present convention shall be ratified by the King of Sardinia and by the Queen of Hungary, and the acts of ratification shall be exchanged within the term of twenty days.

Article X.

During the said term, the King of Sardinia shall not understand himself to be obliged to cause his troops to enter

ter into the states possessed by the Queen of Hungary ; and if, after the expiration of the said term, the Queen should not have sent her ratification, so that for want of it, the present convention should remain without effect, nevertheless the King shall not, in that case, cause his troops to enter into the above-mentioned states, during the term of other ten days, neither during that term shall he give any hindrance to the free return of the Austrian troops into the same states, and into such posts as the Queen of Hungary's generals shall judge to be most convenient.

In witness whereof, we the underwritten plenipotentiaries have signed the present convention, &c. at Turin, the first of February, 1742.

In consequence of this convention, his Majesty the King of Sardinia did immediately join a considerable body of his troops to those of the said Queen, his Majesty the King of Great-Britain having sent a strong squadron to co-operate for the maintenance of the liberties of Italy.

In order not to leave fruitless so great expences, and to secure still farther, and to accelerate, for the present, the entire execution of so necessary and just a resolution, and in order likewise to perpetuate the effect of it for the times to come, their said Majesties have authorized, and do authorize their ministers plenipotentiary to make an immediate regulation of the particulars and of the conditions, viz. His Majesty the King of Great-Britain, his privy-counsellor John Lord Carteret, Baron of Hawnes, one of his principal secretaries of state, &c. His Majesty the King of Sardinia, the Chevalier Ostorio, Chevalier Grande Croix, and Grand Conservator of the religious and military orders of the Saints Maurice and Lazarus, envoy extraordinary and minister plenipotentiary of his said Majesty to his Majesty the King of Great-Britain. And her Majesty the Queen of Hungary and Bohemia, the Sieur Ignatius John de Wasner, her minister plenipotentiary to his said Britannick Majesty ; who, after having communicated to each other their respective full powers, and having maturely

turally conferred together, have agreed upon the following articles.

Article I.

There shall be, from the present time, and for all times to come, between his Majesty the King of Great-Britain, her Majesty the Queen of Hungary and Bohemia, and his Majesty the King of Sardinia, a close friendship, and sincere, perpetual, and inviolable alliance, by virtue of which they shall be obliged to support, defend, and succour each other reciprocally and constantly, to be attentive to the security each of the other, as to their own, to procure all advantages, and to keep off all damage and prejudice from one another to the utmost of their power.

Article II.

To this end the allies engage themselves afresh to a most express guaranty of all the kingdoms, states, countries, and dominions, which they are now in possession of, or ought to possess by virtue of the treaty of alliance made at Turin in 1703 : Of the treaties of peace of Utrecht and Baden : Of the treaty of peace and alliance, commonly called the Quadruple alliance : Of the treaty of pacification and alliance concluded at Vienna the 16th of March, 1731 : Of the act of guaranty given in consequence thereof, and passed into a law of the empire, the 11th of January, 1732 : Of the act of accession, signed likewise in consequence of the said treaty, at the Hague the 20th of February, 1732 : Of the treaty of peace signed at Vienna, the 18th of November, 1738 ; and of the accession thereto, done and signed at Versailles the 3d of February, 1739 : All which treaties are fully recalled and confirmed here, forasmuch as they may concern the Allies, and as far as they have not derogated from them by the present treaty.

Article III.

In conformity to the guaranty contained in the foregoing article, and to the end that no subject of dispute may remain between the two most serene houses of Austria and Savoy, his Majesty the King of Sardinia, for himself, his heirs

heirs and fucceffors, renounces by name, and for ever, but folety in favour of her Majefty the Queen of Hungary and Bohemia, and of her heirs and fucceffors, to his pretended rights upon the ftate of Milan ; which rights, though never admitted on the part of the Queen, he had referved to himfelf, by the provifional convention, the liberty of availing himfelf of. And befides, his Majefty the King of Sardinia engages himfelf formally and fpecially to the guaranty of the order of fucceffion eftablifhed in the faid moft ferene houfe, by the Pragmatick Sanction, in the fame manner as it is fet forth in the treaty of pacification and alliance made at Vienna the 16th of March, 1731, excepting however, that his faid Majefty fhall never be obliged to fend fuccours out of Italy.

Article IV.

For this purpofe his Majefty the King of Sardinia, who has already joined his troops to thofe of the Queen of Hungary, and who has already confiderably augmented them, fhall continue to concert and execute, jointly with her and her generals, all the meafures and operations which fhall be judged the moft effectual for keeping off and repelling the invafion now made, or to be hereafter made, againft the dominions of the faid Queen, and for fecuring them from all danger, prefent and future, as much as poffible.

Article V.

In order to attain this end, and as long as the prefent war fhall laft, her Majefty the Queen of Hungary engages not only to keep in Italy the number of troops which ſhe has there now, but to augment them to the number of 30,000 effective men, as ſoon as the ſituation of affairs in Germany will permit it. And his Majefty the King of Sardinia engages to keep and employ the number of 40,000 foot, and 5000 horſe, comprehending in it what will be neceſſary for the garrifons, and defence of his own dominions.

Article VI.

His Majefty the King of Sardinia fhall have the ſupreme command of the allied army, when he fhall be there in
 perſon

person, and he shall regulate the military motions and operations of it, in concert with her Majesty the Queen of Hungary, according as the common interest and occasions shall require.

Article VII.

As long as it shall be necessary towards favouring and seconding those operations, and as long as the danger of the allies, and of Italy, shall demand it, his Majesty the King of Great-Britain engages to keep in the Mediterranean Sea a strong squadron of ships of war, and bomb vessels, and fire-ships, the admiral and commanders whereof shall have orders to concert constantly and regularly with his Majesty the King of Sardinia, or with his generals, and with those of her Majesty the Queen of Hungary, who shall be nearest at hand, the most proper measures for the service of the common cause.

Article VIII.

Moreover, and in order to assist in bearing the extraordinary expence which his Majesty the King of Sardinia is and will be obliged to support, for raising, and causing to act, a much greater number of troops than his own revenues can maintain, his Majesty the King of Great-Britain engages to furnish to him, for as long as the war, and the occasion for it shall continue, a subsidy of two hundred thousand pounds sterling per annum, to be paid every three months, and to commence from the 1st of February; 1742, New Style, being the day upon which the provisional convention was signed between the said King and her Majesty the Queen of Hungary; and the said Subsidy shall be punctually paid from three months to three months in advance; provided however, that what shall have been advanced to his Majesty the King of Sardinia, before the signature of the present treaty, shall be reckoned into it.

Article IX.

In consideration of the zeal, and generosity, with which his Sardinian Majesty has been willing to expose his person,

son, and his dominions, for the publick cause, and for that of her Majesty the Queen of Hungary and Bohemia, and of the most Serene house of Austria in particular, and of the effectual succours, which the said cause has already received from him ; in consideration also of the burthen-some engagements of assistance, and of the perpetual tye of guaranty, which he contracts with her, by the present alliance, her said Majesty the Queen of Hungary and Bohemia, for herself, her heirs and successors, yields, and transfers, from this present time and for ever, to his said Majesty the King of Sardinia, his heirs and successors, to be united to his other dominions, the district of Vigevano, called the Vigevenasco, the part of the dutchy of Pavia, which is between the Po and the Thesin, so that the Thesin shall for the future, by the middle of its stream, form the separation and limit between the respective dominions, from the Lago Maggiore, or greater lake, to the place where it falls into the Po, excepting only the island formed by the canal over-against the city of Pavia, which island shall be reserved to her Majesty the Queen, upon these conditions, that the King shall have nevertheless the free communication of the river Thesin for the passage of barks, without their being either stopt, visited, or subjected to the payment of any duty, and that the said canal shall never be filled up, and shall serve in this place for a limit. Moreover, that other part of the dutchy of Pavia, called the Pavese, beyond the Po, Bobbio, and its territory being reckoned into it, the city of Plaisance, with that part of the dutchy of Placentia, which is between the Pavese, and as far as the bed of the river Nura, from its source quite to the Po ; in such manner that the middle, as well of the Nura as of the Po, do make in this part the limit of the two states ; and consequently, that which has hitherto belonged to the dutchy of Placentia on the other side of the Po, do remain separated from it.

Lastly, That part of the county of Anghiera, or of the state of Milan, whatsoever particular name may be given to it, which borders upon the Novarese, the valley of Sesia, the Great Alps, and the country of Vallais, extending to the Swiss prefectures of Val Maggia and Locarno,

and

and along the banks of, and in the Lago Maggiore, to the middle of the said lake, in such manner, that for the future the confines between the dominions of his Majesty the King of Sardinia, and those of her Majesty the Queen of Hungary, shall be continually fixed by a line drawn from the borders of the Swiss, in the middle, and all along the Lago Maggiore to the mouth of the Thefin, which line shall go from thence along the middle of the stream of that river to the place of its falling into the Po, excepting the front of the above-mentioned island before Pavia, and from thence go on along the middle of the course of the Po, to the place where the Nura falls into the Po, and go up by the middle of the bed of the Nura quite to its source, which is opposite to the country of Genoa.

The abovesaid division of the course of the rivers shall not prevent the navigation remaining free, as it is to remain to the subjects of the two sovereigns, in the whole breadth of the said rivers, with liberty to pass upon the banks on either side; for the towing of boats which go up stream, the said banks being nevertheless to appertain, as well with regard to the property, as in all other respects to the sovereigns respectively, on either side of the said rivers, who shall be allowed, each on their own side, to make such reparations as they shall judge necessary towards strengthening of them, provided that those reparations be not prominent, that is to say, that they may not force the stream of the river against the opposite side, and that, on the part of the King of Sardinia, it shall never be lawful, under any pretence whatsoever, to make such works as might prevent the free entry of the waters into the canal or Naviglio, which is on the side of her Majesty the Queen of Hungary, and which conducts the said waters to Milan.

To enjoy the same in full property and sovereignty, as her Majesty the Queen and her predecessors have enjoyed them hitherto; which countries her Majesty the Queen dismembers for ever from her hereditary dominions, and from the state of Milan, derogating, for that purpose, as far as there can be occasion for it, from every thing that might in any manner be contrary thereto, saving always the direct jurisdiction of the empire.

Article X.

Besides, as it is of importance to the public cause, that his Majesty the King of Sardinia should have an immediate communication of his dominions with the sea, and with the maritime powers, her Majesty the Queen of Hungary and Bohemia, yields to him all the rights which she may have in any manner, and upon any title whatsoever, to the town and marquissate of Final, which rights she yields and transfers, without any restriction, to the said King, in the same manner as she does the countries described in the foregoing article; in the just expectation, that the republick of Genoa will facilitate, as far as shall be necessary, a disposition so indispensably requisite for the liberty and security of Italy, in consideration of the sum, which shall be found to be due to the said republick, without his Majesty the King of Sardinia, nor her Majesty the Queen of Hungary being obliged to contribute to the payment of the said sum, provided always, that the town of Final be and remain for ever a free port, as is Leghorn; and that it shall be allowable for his Majesty the King of Sardinia to re-establish there the forts which have been demolished, or to cause others to be built according as he shall judge convenient.

Article XI.

His Majesty the King of Great-Britain, her Majesty the Queen of Hungary and Bohemia, and his Majesty the King of Sardinia, engage themselves not to make either peace or truce, without comprehending therein, in express words, all the above-mentioned cessions, and without stipulating also a full restitution to the King of Sardinia of every part of his other dominions, which may have been seized or occupied in hatred of his union with the allies; provided, that the King of Sardinia shall hold himself to be from this present time indemnified for the revenue which might be so withheld from him, by that of the countries yielded and transferred to him by the present treaty.

Article XII.

In return, his Majesty the King of Sardinia shall remain firmly and inseparably united and attached to the interests

and to the cause of the allies, not only for as long as the war may last in Italy, but to the conclusion of the peace in Germany, and of the peace between Great-Britain and Spain; and this is the principal condition, and sine quâ non, of the cessions made to him above by the 9th and 10th articles of this treaty, which cessions shall not receive their full and irrevocable force, but from its entire accomplishment, after which the countries yielded to the said King, shall be deemed guarantied to him by the allies for ever, as his other dominions are.

Article XIII.

And as soon as Italy shall be delivered from enemies, and out of all apparent danger of being a-fresh invaded, her Majesty the Queen of Hungary shall not only be at liberty to withdraw part of her troops, but, if she requires it, his Majesty the King of Sardinia shall furnish her some of his own troops to be employed for the security of her Majesty's dominions in Lombardy, that so she may be able to make use of a greater number of her own in Germany, in like manner as, at the requisition of the King of Sardinia, the Queen of Hungary should cause some of her troops to pass into the dominions of the said King, if it were necessary, for defending the passages thereof, which an enemy's army should undertake to force, and for delivering from enemies all the dominions of his Majesty the King of Sardinia, and freeing them from any danger of a fresh invasion.

Article XIV.

In any case, the allies shall not make either peace, or truce, or accommodation whatsoever, with the common enemy, but in concert, and with the participation and advice one of the other, nor without the guaranty of such powers as should have a share in the pacification, for the possessions and acquisitions of the allies, as set forth in this treaty; and after the conclusion of the peace, the present alliance shall equally and unalterably subsist, as well for the security of its execution, as, in general, for the mutual and constant security of the allies.

Article

Article XV.

His Majesty the King of Sardinia, and her Majesty the Queen of Hungary and Bohemia, in gratitude for the generous concern of his Britannick Majesty for the publick security, and for theirs, and for that of Italy in particular, do not only confirm to the British subjects the advantages of commerce and navigation, which they enjoy in their respective dominions, but promise to secure them still farther to them, and as far as it shall be found reasonable and practicable, by a specifick treaty of commerce and navigation, whenever his Britannick Majesty shall require it of them.

Article XVI.

The Lords the States-General of the United Provinces being already under the same engagements towards the most serene House of Austria, and having the same interest with his Britannick Majesty in all the objects of the present treaty, the allies will jointly invite them to enter into this alliance, as a principal contracting party.

Article XVII.

The other princes and states, who have at heart the peace, the liberty, and the security of Europe, of the Empire, and of Italy, and who will be willing to enter into the present alliance, shall be admitted into it.

Article XVIII.

This treaty of alliance shall be ratified by all the allies, and the ratifications of it shall be exchanged within the space of six weeks, or sooner if possible.

In witness whereof, we the plenipotentiaries above-named have signed the present treaty with our own hands, and have set our seals with our coats of arms thereunto. Done at Worms, this $\frac{2}{13}$ day of September, one thousand seven hundred and forty-three.

(L. S.) *Carteret*. (L. S.) *Ossorio*. (L. S.) *DeWafner*.

We having seen and considered the treaty above-written, have approved and ratified it in all and singular its articles

and clauses, as we do by these presents approve and ratify the same for ourselves, our heirs and successors, undertaking and promising, upon our royal word, that we will religiously and inviolably perform and observe all and singular the things which are contained in it; and that we will never suffer, as much as in us lies, that they be violated by any body, or that any thing be done, in any manner whatsoever, to the contrary thereof. For the greater faith and corroboration of all which, we have commanded our great seal of Great-Britain to be set to these presents, signed by the hands of our guardians and justices of our kingdom of Great-Britain, and our lieutenants in the same. Given at Westminster the 20th day of September, in the year of our Lord, 1743, and of our reign the seventeenth.

*Hardwicke, C.
Harrington, P.
Dorset.
Grafton.
Bolton.
Montagu.*

*Holles Newcastle.
Tweeddale.
Winchilsea.
Ilay.
H. Pelham.*

The Definitive Treaty of Peace and Friendship, between his Britannick Majesty, the most Christian King, and the States General of the United Provinces. Concluded at Aix la Chapelle the 18th Day of October N. S. 1748.

In the Name of the most holy and undivided Trinity, the Father, Son, and Holy Ghost.

BE it known to all those, whom it shall or may concern, in any manner whatsoever. Europe sees the day, which the Divine Providence had pointed out for the re-establishment of its repose. A general peace succeeds to the long and bloody war, which had arose between the most serene and most potent Prince George II. by the Grace of God, King of Great-Britain, France, and Ireland, Duke of Brunswick and Lunebourg, Arch-Treasurer and Elector of

of the Holy Roman Empire, &c. and the most Serene and most potent Princess Mary Theresia, by the Grace of God, Queen of Hungary and Bohemia, &c. Empress of the Romans, on the one part; and the most Serene and most potent Prince Lewis XV. by the Grace of God, the most Christian King, on the other; as also between the King of Great-Britain, the Empress Queen of Hungary and Bohemia, and the most Serene and most potent Prince Charles Emanuel III. by the Grace of God, King of Sardinia, on the one part, and the most Serene and most potent Prince Philip V. by the Grace of God, King of Spain and the Indies, (of glorious memory) and after his decease, the most Serene and most potent Prince Ferdinand VI. by the Grace of God, King of Spain and the Indies, on the other; In which war the high and mighty Lords the States General of the United Provinces of the Low Countries had taken part, as auxiliaries to the King of Great-Britain; and the Empress Queen of Hungary and Bohemia; and the most Serene Duke of Modena, and the most Serene Republick of Genoa, as auxiliaries to the King of Spain. God, in his mercy, made known to all these powers, at the same time, the way which he had decreed for their reconciliation, and for the restoration of tranquility to the people, whom he had subjected to their government. They sent their ministers to Aix la Chapelle, where those of the King of Great-Britain, his most Christian Majesty, and of the States General of the United Provinces, having agreed upon preliminary conditions for a general pacification; and those of the Empress Queen of Hungary and Bohemia, of his Catholick Majesty, of the King of Sardinia, of the Duke of Modena, and of the Republick of Genoa, having acceded thereunto, a general cessation of hostilities, by sea and land, happily ensued. In order to compleat, at Aix la Chapelle, the great work of a peace, equally stable and convenient for all parties, the high contracting powers have nominated, appointed, and provided with their full powers, the most illustrious and most excellent Lords their Ambassadors extraordinary, and Ministers Plenipotentiary, viz. His Sacred Majesty the King of Great-Britain, John Earl of Sandwich, Viscount Hinchinbrook, Baron Montagu

of St. Neots, Peer of England, First Lord Commissioner of the Admiralty, one of the Lords regents of the kingdom, his Minister Plenipotentiary to the States General of the United Provinces, and Sir Thomas Robinson, Knight of the most honourable order of the Bath, and his Minister Plenipotentiary to his Majesty the Emperor of the Romans, and her Majesty the Empress Queen of Hungary and Bohemia.

His Sacred most Christian Majesty, Alphonso Maria Lewis Count de St. Severin of Arragon, Knight of his orders, and John Gabriel de la Porte du Theil, Knight of the order of our Lady of Mount Carmel, and of St. Lazarus of Jerusalem, Counsellor of the King in his councils, Secretary of the chamber, and of the cabinet of his Majesty, of the orders of the Dauphin, and of Mesdames of France.

Her Sacred Majesty the Empress Queen of Hungary and Bohemia, Wenceslaus Anthony Count of Kaunitz Rittberg, Lord of Effens, Stedefeld, Wittmund, Aufertlitz, Hungriſchbrod, Wite, &c. actual intimate Counsellor of State to their Imperial Majesties.

His Sacred Catholick Majesty, the Lord Don James Mafson de Lima and Sotto Major, Gentleman of the bed-chamber to his Catholick Majesty, and Major General of his Forces.

His Sacred Majesty the King of Sardinia, Don Joseph Ossorio, Knight, Grand Croix and Grand Conservator of the military order of the Saints Maurice and Lazarus, and Envoy extraordinary of his Majesty the King of Sardinia to his Majesty the King of Great-Britain; and Joseph Borre Count Chavanne, his Counsellor of State, and his Minister to the Lords the States General of the United Provinces.

The High and Mighty Lords the States General of the United Provinces, William Count Bentinck, Lord of Rhoo and Pendrecht, one of the Nobles of the Province of Holland and West Friesland, Curator of the University of Leyden, &c. &c. &c. Frederick Henry Baron of Wassenaer, Lord of Catwyck and Zand, one of the Nobles of the Province of Holland and West Friesland, Hoog-Heemrade of Rhymland, &c. Gerard Arnout Hasselaer, Burgomaster and Counsellor of the city of Amsterdam, Director of the East-India company; John Baron of Borſele, First Noble

Noble and Representative of the nobility in the States, in the council and admiralty of Zealand, Director of the East-India company; Onno Zwier Van Haren, Grietman of West-Sterlingwerf, Deputy-Counsellor of the Province of Friesland, and Commissary General of all the Swiss and Grison troops in the service of the aforesaid States General, and respective Deputies in the assembly of the States General, and in the council of State, on the part of the Provinces of Holland and West Friesland, Zealand, and Friesland.

The most Serene Duke of Modena, the Sieur Count de Monzone, his Counsellor of State, and Colonel in his service, and his Minister Plenipotentiary to his most Christian Majesty.

The most Serene Republick of Genoa, the Sieur Francis Marquis Doria.

Who, after having communicated their full powers to each other, in due form, copies whereof are annexed at the end of this present treaty; and having conferred on the several objects, which their Sovereigns have judged proper to be inserted in this instrument of general pacification, have agreed to the several articles, which are as follow.

Article I.

There shall be a Christian, universal and perpetual peace, as well by sea as land, and a sincere and lasting friendship between the eight powers above-mentioned, and between their heirs and successors, kingdoms, states, provinces, countries, subjects and vassals, of what rank and condition soever they may be, without exception of place or persons. So that the high contracting powers may have the greatest attention to maintain between them and their said states and subjects, this reciprocal friendship and correspondence, not permitting any sort of hostilities to be committed, on one side or the other, on any cause, or under any pretence whatsoever; and avoiding every thing that may, for the future, disturb the union happily re-established between them; and, on the contrary, endeavouring to procure, on all occasions, whatever may contribute to their mutual glory, interests and advantage, without giving any assistance or protection, directly or indirectly, to those

who would injure or prejudice any of the contracting parties.

II. There shall be a general oblivion of whatever may have been done or committed during the war, now ended. And all persons, upon the day of the exchange of the ratifications of all the parties, shall be maintained or re-established in the possession of all the effects, dignities, ecclesiastical benefices, honours, revenues, which they enjoyed, or ought to have enjoyed, at the commencement of the war, notwithstanding all dispossessions, seizures, or confiscations, occasioned by the said war.

III. The treaties of Westphalia of 1648; those of Madrid, between the crowns of England and Spain, of 1667, and 1670; the treaties of peace of Nimegen of 1678, and 1679; of Ryswick of 1697; of Utrecht of 1713; of Baden of 1714; the treaty of the Triple Alliance of the Hague of 1717; that of the Quadruple Alliance of London of 1718; and the treaty of peace of Vienna of 1738, serve as a basis and foundation to the general peace, and to the present treaty; and, for this purpose, they are renewed and confirmed in the best form, and as if they were herein inserted, word for word; so that they shall be punctually observed for the future in all their tenour, and religiously executed on the one side and the other; such points however, as have been derogated from in the present treaty, excepted.

IV. All the prisoners made on the one side and the other, as well by sea as by land, and the hostages required or given during the war, and to this day, shall be restored, without ransom, in six weeks at latest, to be reckoned from the exchange of the ratification of the present treaty; and it shall be immediately proceeded upon after that exchange: And all the ships of war, as well as merchant vessels, that shall have been taken since the expiration of the terms agreed upon for the cessation of hostilities at sea, shall be, in like manner, faithfully restored, with all their equipages and cargoes; and sureties shall be given on all sides for payment of the debts, which the prisoners or hostages may have contracted in the states, where they had been detained, until their full discharge.

V. All

V. All the conquests, that have been made since the commencement of the war, or which, since the conclusion of the preliminary articles, signed the 30th of April last, may have been or shall be made, either in Europe, or the East or West-Indies, or in any other part of the world whatsoever, being to be restored without exception, in conformity to what was stipulated by the said preliminary articles, and by the declarations since signed; the high contracting parties engage to give orders immediately for proceeding to that restitution, as well as to the putting the most serene Infant Don Philip in possession of the states, which are to be yielded to him by virtue of the said preliminaries, the said parties solemnly renouncing, as well for themselves as for their heirs and successors, all rights and claims, by what title or pretence soever, to all the states, countries and places, that they respectively engage to restore or yield; saving, however, the reversion stipulated of the States yielded to the most serene Infant Don Philip.

VI. It is settled and agreed, that all the respective restitutions and cessions in Europe shall be entirely made and executed on all sides in the space of six weeks, or sooner if possible, to be reckoned from the day of the exchange of the ratifications of the present treaty of all the eight parties above-mentioned; so that, within the same term of six weeks, the most Christian King shall restore, as well to the Empress Queen of Hungary and Bohemia, as to the States General of the United Provinces, all the conquests which he has made upon them during this war.

The Empress Queen of Hungary and Bohemia shall be put, in consequence hereof, in full and peaceable possession of all that she possessed before the present war in the Low Countries, and elsewhere, except what is otherwise regulated by the present treaty.

In the same time the Lords the States General of the United Provinces shall be put in full and peaceable possession, and such as they had before the present war, of the places of Bergen-op-Zoom and Maestricht, and of all they possessed before the said present war in Dutch Flanders, Dutch Brabant, and elsewhere:

And the towns and places in the Low Countries, the sovereignty of which belongs to the Empress Queen of
Hungary

Hungary and Bohemia, in which their High Mightinesses have the right of garrison, shall be evacuated to the troops of the Republick, within the same space of time.

The King of Sardinia shall be in like manner, and within the same time, entirely re-established and maintained in the Dutchy of Savoy, and in the county of Nice, as well as in all the states, countries, places and forts conquered, and taken from him on occasion of the present war.

The most serene Duke of Modena, and the most serene Republick of Genoa, shall be also, within the same time, entirely re-established and maintained in the states, countries, places, and forts conquered and taken from them during the present war, conformably to the tenour of the 13th and 14th articles of this treaty, which relate to them.

All the restitutions and cessions of the said towns, forts and places, shall be made, with all the artillery and warlike stores, that were found there on the day of their surrender, during the course of the war, by the powers who are to make the said cessions and restitutions, and this according to the inventories which have been made of them, or which shall be delivered bona fide, on each side. Provided that, as to the pieces of artillery, that have been removed elsewhere to be new cast, or for other uses, they shall be replaced by the same number of the same bore, or weight in metal. Provided also, that the places of Charleroy, Mons, Athe, Oudenarde, and Menin, the outworks of which have been demolished, shall be restored without artillery. Nothing shall be demanded for the charges and expences employed in the fortifications of all the other places; nor for other publick or private works, which have been done in the countries that are to be restored.

VII. In consideration of the restitutions that his most Christian Majesty, and his Catholick Majesty make, by the present treaty, either to her Majesty the Queen of Hungary and Bohemia, or to his Majesty the King of Sardinia, the duchies of Parma, Placentia, and Guastalla shall, for the future, belong to the most serene Infant Don Philip, to be possessed by him and his male descendants, born in

lawful

lawful marriage, in the same manner, and in the same extent, as they have been, or ought to be, possessed by the present possessors; and the said most serene Infant, or his male descendants, shall enjoy the said three duchies, conformably and under the conditions expressed in the acts of cession of the Empress Queen of Hungary and Bohemia, and of the King of Sardinia.

These acts of cession of the Empress Queen of Hungary and Bohemia, and of the King of Sardinia, shall be delivered, together with their ratifications of the present treaty, to the Ambassador extraordinary and plenipotentiary of the Catholick King, in like manner as the ambassadors extraordinary and plenipotentiaries of the most Christian King and Catholick King, shall deliver, with the ratifications of their Majesties, to the ambassador extraordinary and plenipotentiary of the King of Sardinia, the orders to the generals of the French and Spanish troops to restore Savoy and the county of Nice to the persons appointed by that Prince to receive them; so that the restitution of the said states, and the taking possession of the duchies of Parma, Placentia, and Guastalla, by or in the name of the most serene Infant Don Philip, may be effected within the same time, conformably to the acts of cession, the tenor whereof follows.

WE Mary Theresia, &c. make known by these presents: Whereas, in order to put an end to the fatal war, certain preliminary articles were agreed upon the 30th of April of this year, between the ministers plenipotentiaries of the most serene and most potent Prince George II. King of Great-Britain, and the most serene and most potent Prince Lewis XV. the most Christian King, and their high Mightinesses the States General of the United Provinces, which have been since ratified by all the powers concerned. The tenor of the 4th article whereof is conceived in the following manner.

The duchies of Parma, Placentia, and Guastalla shall be yielded to the most serene Infant Don Philip to serve him, as an establishment, with the right of reversion to the present possessors, after that his Majesty the King of
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the Two Sicilies shall have succeeded to the Crown of Spain; as also in case the said most serene Infant Don Philip should happen to die without children.

And whereas a definitive treaty of peace having since been concluded, the several points relating to this affair, have been, by virtue of the articles thereof, explained by the common consent of the parties concerned, in the following manner.

In consideration of the restitutions, that his most Christian Majesty and his Catholick Majesty make, by the present treaty, either to her Majesty the Queen of Hungary and Bohemia, or to his Majesty the King of Sardinia, the duchies of Parma, Placentia, and Guastalla shall, for the future, belong to the most serene Infant Don Philip, to be possessed by him, and his male descendants born in lawful marriage, in the same manner, and in the same extent, as they have been or ought to be possessed by the present possessors; and the said most serene Infant, or his male descendants, shall enjoy the said three duchies, conformably and under the conditions expressed in the acts of cession of the Empress Queen of Hungary and Bohemia, and of the King of Sardinia.

These acts of cession of the Empress Queen of Hungary and Bohemia, and of the King of Sardinia, shall be delivered, together with their ratifications of the present treaty, to the ambassador extraordinary and plenipotentiary of the Catholick King, in like manner as the ambassadors extraordinary, and plenipotentiaries of the most Christian King and Catholick King shall deliver, with the ratifications of their Majesties, to the ambassadors extraordinary and plenipotentiaries of the King of Sardinia, the orders to the Generals of the French and Spanish troops to restore Savoy and the county of Nice, to the persons appointed by that Prince to receive them; so that the restitution of the said states, and the taking possession of the duchies of Parma, Placentia, and Guastalla, by or in the name of the most serene Infant Don Philip, may be effected in the same time, conformably to the said acts of cession.

Wherefore, in order to fulfil those things, to which we have bound ourselves by the articles before inserted, and in the firm hope, that the most Christian and Catholick Kings,
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and the future possessor of the aforesaid three duchies, and his male descendants will, on their part, bonâ fide, and punctually, fulfil the tenor of the articles above-mentioned, and will likewise restore to us, within the same time, the states and places which are to be restored to us, in consequence of the second and eighteenth articles of the same preliminaries, we do yield and renounce, for us and our successors, under the conditions expressed in the above-mentioned articles, all rights, claims, and pretensions to us under any title or cause whatsoever belonging, upon the aforesaid three duchies of Parma, Placentia, and Guastalla, formerly possessed by us; and to transfer the same rights, claims and pretensions, in the best and most solemn manner possible, to the most serene Don Philip Infant of Spain, and his male descendants, to be born in lawful marriage, absolving all the inhabitants of the said duchies from the allegiance and oath, which they have taken to us, who shall be obliged, for the future, to pay the same allegiance to those to whom we have yielded our rights; all which however is to be understood only for that space of time, that either the said most serene Infant Don Philip, or one of his descendants, shall not have ascended either the throne of the Two Sicilies, or of Spain; for at that time, and in case the aforesaid Infant should die without male descendants, we expressly reserve to ourselves, our heirs and successors, all rights, claims and pretensions, which have heretofore belonged to us, and consequently the right of reversion to the said duchies. In witness whereof, &c.

CHARLES EMANUEL, &c. The desire we have to contribute, on our part, to the most speedy re-establishment of the publick tranquility, which lately induced us to accede to the preliminary articles, signed the 30th of April last between the minister of his Britannick Majesty, his most Christian Majesty, and the Lords the States General of the United Provinces, which we did, on the 31st of May last, by our plenipotentiary, accordingly accede to, inducing us now to accomplish as much as is to be performed, on our part, in pursuance of them; and particularly for the execution of what is contained in the fourth article of the said preliminaries, by virtue whereof
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the duchies of Parma, Placentia, and Guastalla, are to be yielded to the most serene Prince Don Philip, Infant of Spain, to hold, as an establishment, with the right of reversion to the present possessors, as soon as his Majesty the King of the two Sicilies shall have succeeded to the crown of Spain, or that the said Infant should happen to die without issue male; we, in conformity thereto, do, by the present act, renounce, yield, and transfer, for ourselves and our successors, to the aforesaid most serene Infant Don Philip, and to his male issue, and their descendants born in lawful marriage, the town of Placentia, and the Plaisantine, (whereof we were possessed) to be held and possessed by him as Duke of Placentia; renouncing to this end all rights, claims, and pretensions, which we have upon them; reserving, however, expressly to us, and our successors, the right of reversion, in the cases above-mentioned.

In witness whereof, &c.

VIII. In order to secure and effectuate the said restitutions and cessions, it is agreed, that they shall be entirely executed and accomplished on all sides, in Europe, within the term of six weeks, or sooner, if possible, to be reckoned from the day of the exchange of the ratifications of all the eight powers; it being provided, that in fifteen days after the signing of the present treaty, the Generals, or other persons, whom the high contracting parties shall think proper to appoint for that purpose, shall meet at Brussels and at Nice, to concert and agree on the method of proceeding to the restitutions, and of putting the parties in possession, in a manner equally convenient for the good of the troops, the inhabitants, and the respective countries; but so that all and each of the high contracting powers may be agreeable to their intentions, and to the engagements contracted by the present treaty, in full and peaceable possession, without any exception, of all that is to be acquired to them, either by restitution or cession, within the said term of six weeks, or sooner if possible, after the exchange of the ratifications of the present treaty by all the said eight powers.

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IX. In consideration that, notwithstanding the reciprocal engagement taken by the 18th article of the preliminaries, importing, that all the restitutions and cessions should be carried on equally, and should be executed at the same time, his most Christian Majesty engages, by the 6th article of the present treaty, to restore, within the space of six weeks, or sooner if possible, to be reckoned from the day of the exchange of the ratifications of the present treaty, all the conquests which he has made in the Low Countries; whereas it is not possible, considering the distance of the countries, that what relates to America should be effected within the same time, or even to fix the time of its entire execution; his Britannick Majesty likewise engages on his part to send to his most Christian Majesty, immediately after the exchange of the ratifications of the present treaty, two persons of rank and consideration, who shall remain there as hostages, till there shall be received a certain and authentick account of the restitution of Isle Royal called Cape Breton, and of all the conquests which the arms or subjects of his Britannick Majesty may have made before, or after the signing of the preliminaries, in the East and West-Indies.

Their Britannick and most Christian Majesties oblige themselves likewise to cause to be delivered, upon the exchange of the ratifications of the present treaty, the duplicates of the orders addressed to the commissaries appointed to restore, and receive, respectively, whatever may have been conquered, on either side, in the said East and West-Indies, agreeably to the 2d article of the preliminaries, and to the declarations of the 21st and 31st of May, and the 8th of July last, in regard to what concerns the said conquests in the East and West-Indies. Provided nevertheless, that Isle Royal, called Cape Breton, shall be restored with all the artillery and warlike stores, which shall have been found therein on the day of its surrender, conformably to the inventories, which have been made thereof, and in the condition that the said place was in, on the said day of its surrender. As to the other restitutions, they shall take place conformably to the meaning of the second article of the preliminaries, and of the declarations and convention of the 21st and 31st of May, and
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the 8th of July last, in the condition in which things were on the 11th of June, N. S. in the West-Indies, and on the 31st of October, also N. S. in the East-Indies. And every thing besides shall be re-established on the foot that they were or ought to be before the present war.

The said respective commissaries, as well those for the West, as those for the East-Indies, shall be ready to set out on the first advice that their Britannick and most Christian Majesties shall receive of the exchange of the ratifications, furnished with all the necessary instructions, commissions, powers, and orders, for the most expeditious accomplishment of their said Majesties intentions, and of the engagements taken by the present treaty.

X. The ordinary revenues of the countries that are to be respectively restored or yielded, and the impositions laid upon those countries for the entertainment and winter quarters of the troops, shall belong to the powers that are in possession of them, till the day of the exchange of the ratifications of the present treaty, without, however, its being permitted to proceed to any kind of execution, provided sufficient security has been given for the payment; it being always to be understood, that the forage and utensils for the troops shall be furnished till the evacuations; in consequence of which, all the powers promise and engage not to demand or exact impositions and contributions which they may have laid upon the countries, towns, and places that they have possessed during the course of the war, and which had not been paid at the time that the events of the said war had obliged them to abandon the said countries, towns, and places; all pretensions of this nature being made void by the present treaty.

XI. All the papers, letters, documents, and archives, which were in the countries, estates, towns and places which are restored, and those belonging to the countries yielded, shall be respectively, and bona fide, delivered or given up at the same time, if possible, as possession shall be taken, or at farthest two months after the exchange of the ratifications of the present treaty of all the eight parties, in whatever places the said papers or documents may be, namely, those which may have been removed from the archive of the great council of Mechlin.

XII. His Majesty the King of Sardinia shall remain in possession of all that he antiently and newly enjoyed, and particularly of the acquisition which he made in the year 1743, of the Vigevanasque, a part of the Pavese, and the county of Anghiera, in the manner as this prince now possesses them, by virtue of the cessions that have been made of them to him.

XIII. The most serene Duke of Modena, by virtue as well of the present treaty, as of his rights, prerogatives, and dignities, shall take possession six weeks, or sooner if possible, after the exchange of the ratifications of the said treaty, of all his states, places, forts, countries, effects, and revenues, and, in general of all that he enjoyed before the war.

At the same time shall be likewise restored to him, his archives, documents, writings, and moveables of what nature soever they may be, as also the artillery, and warlike stores, which shall have been found in his countries, at the time of their being seized. As to what shall be wanting, or shall have been converted into another form, the just value of the things so taken away, and which are to be restored, shall be paid in ready money; which money, as well as the equivalent for the fiefs, which the most serene Duke of Modena possessed in Hungary, if they are not restored to him, shall be settled and adjusted by the respective generals or commissaries, who, according to the 8th article of the present treaty, are to assemble at Nice in fifteen days after the signature, in order to agree upon the means for executing the reciprocal restitutions and putting in possession, so that at the same time, and on the same day as the most serene Duke of Modena shall take possession of all his states, he may likewise enter into the enjoyment either of his fiefs in Hungary, or of the said equivalent, and receive the value of such things as cannot be restored to him. Justice shall also be done him, within the same time of six weeks after the exchange of the ratifications, with respect to the allodial effects of the House of Guastalla.

XIV. The most serene Republick of Genoa, as well by virtue of the present treaty, as of its rights, prerogatives, and dignities, shall re-enter into the possession, six weeks,

or sooner if possible, after the exchange of the ratifications of the said treaty, of all the states, forts, places, countries, effects, of what nature soever they may be, rents and revenues, that it enjoyed before the war; particularly, all and every one of the members and subjects of the said republick shall, within the aforesaid term, after the exchange of the ratifications of the present treaty, re-enter into the possession, enjoyment, and liberty of disposing of all the funds, which they had in the bank of Vienna in Austria, in Bohemia, or in any other part whatsoever of the states of the Empress Queen of Hungary and Bohemia, and of those of the King of Sardinia; and the interest shall be exactly and regularly paid them, to be reckoned from the said day of the exchange of the ratifications of the present treaty.

XV. It has been settled and agreed upon between the eight high contracting parties, that for the advantage and maintenance of the peace in general, and for the tranquillity of Italy in particular, all things shall remain there in the condition they were in before the war; saving, and after, the execution of the dispositions made by the present treaty.

XVI. The treaty of the Assiento for the trade of Negroes, signed at Madrid on the 26th of March, 1713, and the article of the annual ship, making part of the said treaty, are particularly confirmed by the present treaty, for the four years during which the enjoyment thereof has been interrupted, since the commencement of the present war, and shall be executed on the same footing, and under the same conditions, as they have or ought to have been executed before the said war.

XVII. Dunkirk shall remain fortified on the side of the land, in the same condition as it is at present; and as to the side of the sea, it shall remain on the footing of former treaties.

XVIII. The demands of money that his Britannick Majesty has, as Elector of Hanover, upon the crown of Spain; the differences relating to the abbey of St. Hubert; the enclaves of Hainault, and the bureaux newly established in the Low Countries; the pretensions of the Elector Palatine; and the other articles, which could not be regulated, so as to enter into the present treaty, shall be amicably

cably adjusted immediately by the commissaries appointed for that purpose, on both sides, or otherwise, as shall be agreed on by the powers concerned.

XIX. The 5th article of the treaty of the Quadruple Alliance, concluded at London the 2d of August, 1718; containing the guaranty of the succession to the kingdom of Great-Britain in the house of his Britannick Majesty now reigning, and by which every thing has been provided for, that can relate to the person who has taken the title of King of Great-Britain, and to his descendants of both sexes, is expressly confirmed and renewed by the present article, as if it was here inserted in its full extent.

XX. His Britannick Majesty, as Elector of Brunswick Lunebourg, as well for himself, as for his heirs and successors, and all the states and possessions of his said Majesty in Germany, are included and guarantied by the present treaty of peace.

XXI. All the powers interested in the present treaty, who have guarantied the Pragmatick Sanction of the 19th of April 1713, for the whole inheritance of the late Emperor Charles VI. in favour of his daughter the Empress Queen of Hungary and Bohemia, now reigning, and of her descendants for ever, according to the order established by the said Pragmatick Sanction, renew it in the best manner possible; except, however, the cessions already made, either by the said Emperor, or the said Princess, and those stipulated by the present treaty.

XXII. The dutchy of Silesia, and the county of Glatz, as his Prussian Majesty now possesses them, are guarantied to that Prince by all the powers, parties and contractors of the present treaty.

XXIII. All the powers contracting and interested in the present treaty, reciprocally and respectively guaranty the execution thereof.

XXIV. The solemn ratifications of the present treaty, expedited in good and due form, shall be exchanged in this city of Aix la Chapelle, between all the eight parties, within the space of one month, or sooner if possible, to be reckoned from the day of its signature.

In witness whereof, we the under-written their Ambassadors Extraordinary and Ministers Plenipotentiaries, have

signed with our hands, in their name, and by virtue of our full powers, the present treaty of peace, and have caused the seals of our arms to be put thereto.

Done at Aix la Chapelle, the 18th of October, 1748.

(Signed)

(L.S.) *Sandwich.* (L.S.) *St. Severin d'Araxen.* (L.S.) *W. Bontinck.*
 (L.S.) *T. Robinson.* (L.S.) *La Porte du Theil.* (L.S.) *G.A. Hasselaer.*
 (L.S.) *J. V. Borsselle.*
 (L.S.) *O.Z. Van Haren.*

Separate Articles.

I. **S**OME of the titles made use of by the contracting powers, either in the full powers, and other acts during the course of the negotiation, or in the preamble of the present treaty, not being generally acknowledged, it has been agreed, that no prejudice shall at any time result therefrom to any of the said contracting parties; and that the titles taken or omitted on either side, on account of the said negotiation, and of the present treaty, shall not be cited, or any consequence drawn therefrom.

II. It has been agreed and determined, that the French language made use of in all the copies of the present treaty, and which may be used in the acts of accession, shall not be made a precedent that may be alledged, or drawn into consequence, or in any manner prejudice any of the contracting powers; and that they conform themselves for the future to what has been and ought to be observed with regard to, and on the part of powers, who are used and have a right to give and receive copies of like treaties and acts in another language than the French.

The present treaty, and the accessions, which shall intervene, having still the same force and effect; as if the aforesaid practice had been therein observed: and the present separate articles shall have likewise the same force, as if they were inserted in the treaty.

In witness whereof, we the under-written Ambassadors Extraordinary and Ministers Plenipotentiaries of his Britannick Majesty, of his most Christian Majesty, and of the Lords the States General of the United Provinces, have

signed

signed the present separate articles, and caused the seals of our arms to be put thereto.

Doné at Aix la Chapelle, the 18th of October, 1748.

(Signed)

(L. S.) *Sandwich.* (L. S.) *St. Severin d' Aragon.* (L. S.) *W. Bentinck.*
 (L. S.) *T. Robinson.* (L. S.) *La Porte du Theil.* (L. S.) *G. A. Hasselaer.*
 (L. S.) *J. V. Borsselle.*
 (L. S.) *O. Z. Van Harck.*

His Britannick Majesty's Full Power.

GEORGE R.

GEORGE the Second, by the Grace of God, of Great-Britain, France, and Ireland, King, Defender of the Faith, Duke of Brunswick and Lunenburg, Arch Treasürer of the Holy Roman Empire, and Prince Elector, &c. To all to whom these presents shall come, greeting. Whereas, in order to perfect the work of a general peace, so happily begun, and to bring it, as soon as possible, to the desired conclusion, we have thought proper to invest two fit persons with the title and character of our ambassadors extraordinary, and plenipotentiaries at the present congress; Know ye therefore, that we, having entire confidence in the zeal, judgment, skill and abilities in managing great affairs, of our right trusty and well-beloved Cousin, John Earl of Sandwich, as also our trusty and well-beloved Thomas Robinson, Knight of the most honourable order of the Bath, and our minister plenipotentiary to our good sifter the Empress of Germany, Queen of Hungary and Bohemia, have named, made, constituted and appointed, as we by these presents name, make, constitute and appoint, them our true and undoubted ambassadors extraordinary, ministers, commissioners, deputies, procurators and plenipotentiaries, giving unto them, or each of them, jointly or separately, all and all manner of power and authority, as well as our general and special command, (yet so, that the General do not derogate from the special, or otherwise) to repair to Aix la Chapelle, or to any other place where the treaty and negotiations for the

above-mentioned peace and tranquility may be to be carried on; and there, for us, and in our name, together with the ambassadors, commissioners, deputies, and plenipotentiaries of the Princes and States, whom it may concern, properly vested with the same power and authority, to meet, in congress and conference, either singly and separately, or jointly and in a body; and with them to agree upon, treat, consult and conclude what may be necessary for making a firm and stable peace, and re-establishing a sincere friendship and good harmony; and to sign, for us, and in our name, every thing so agreed upon, and concluded; and to make a treaty or treaties upon what shall have been so agreed and concluded, and to do and transact all other matters, which may appertain to the finishing the abovesaid work, in as ample manner and form, and with equal force and efficacy, as we ourselves could do, if personally present, engaging, and on our royal word promising, that whatever things shall be transacted and concluded by our said ambassadors extraordinary, and plenipotentiaries, or by either of them, shall be agreed to, acknowledged and accepted by us, in the fullest manner; and that we will never suffer, either in the whole, or in part, any person whatsoever to infringe or act contrary to the same. In witness whereof we have signed these presents with our royal hand, and have caused to be affixed thereto our great seal of Great-Britain. Given at our palace at Herrnhausen the $\frac{\text{thirtieth}}{\text{tenth}}$ day of $\frac{\text{July}}{\text{August}}$ in the year of our Lord 1748, and in the twenty-second year of our reign.

The most Christian King's full power.

LEWIS, by the Grace of God, King of France and Navarre. To all those, to whom these Presents shall come, greeting. Whereas we are desirous of omitting nothing in our power, in order to accelerate the conclusion of the great and salutary work of peace, and the re-establishment of the publick tranquility, trusting entirely to the capacity and experience, zeal and fidelity for our service of our dear and well-beloved the Count de St. Severin d'Aragon; Knight of our orders, and the Sieur de la Porte du Theil, Counsellor in our councils, secretary of
our

our chamber and cabinet, and of the commands of our most dear and most beloved son the Dauphin. For these causes, and other good considerations us thereto moving, we have commissioned and ordained them, and by these presents signed with our hand, do commission and ordain, and have given them, and do give to the one and to the other jointly, as well as to either of them separately, in case of absence or indisposition of the other, full power, commission, and special order, in our name, and in the quality of our ambassadors extraordinary and plenipotentiaries, to agree with the ambassadors and ministers actually assembled at Aix la Chapelle for the conclusion of a peace, provided with full powers in good form on the part of their masters, to settle, conclude, and sign such treaties, articles, and conventions, as the one and the other together, or either of them, in the aforesaid case of absence or indisposition of the other, shall think good, and chiefly the definitive treaty, which shall re-establish a solid peace and perfect union between us and the Princes and States formerly at war, or auxiliaries of the powers at war; promising on the faith and word of a King, to accept, keep firm and stable for ever, accomplish and execute punctually, all that the said Count de St. Severin d'Aragon, and the said Sieur de la Porte du Theil or either of them, in the said cases of absence or indisposition of the other, shall have stipulated, promised and signed by virtue of this present power, without ever contravening the same, or suffering it to be contravened, for what cause, or under what pretext soever; as also to cause our letters of ratification thereof to be dispatched in good form, and exchanged in the time that shall be agreed upon: For such is our pleasure. In witness whereof, we have caused our seal to be put to these presents. Given at Fontainebleau the seventh day of October, in the year of Grace 1748, and of our reign the thirty-fourth.

(Signed) LEWIS,

(And lower) By the King,

(Signed Brulart.

And sealed with the great seal in yellow wax.

The States General's Full Power.

THE States General of the United Provinces of the Netherlands. To all those, who shall see these presents, greeting. Whereas we desire nothing more ardently, than to see the war, with which Christendom is at present afflicted, terminated by a good peace, and the city of Aix la Chapelle has been agreed upon for the place of the conferences; We, by the same desire of putting a stop, as far as shall be in us, to the desolation of so many provinces, and to the effusion of so much Christian blood, have been willing to contribute thereto all that depends upon us; and, to this end, to depute to the said assembly some persons out of our own body, who have given several proofs of the knowledge and experience which they have of public affairs, as well as of the affection which they have for the good of our state.

And whereas the Sieurs William Count Bentinck, Lord of Rhoon and Pendrecht, of the body of Nobles of the province of Holland and West-Frizeland, Curator of the University of Leyden, &c. Frederick Henry Baron Wassenaer, Lord of Catwyck and Zand, of the body of Nobles of the province of Holland and West-Frizeland, Hoog-Heemrade of Rhymland, &c. Gerard Arnold Hasselaer, Schepen and Senator of the city of Amsterdam, and Director of the East-India Company; and Onno Zwier van Haren, Grietman of West Stellingwerf, deputed Counsellor of the province of Frizeland, and Commissary-General of all the Swiss and Grison troops in our service; respective deputies in our assembly, and in the council of state, on the part of the provinces of Holland and West-Frizeland, and Frizeland, have distinguished themselves in several employments of importance for our service, in which they have given marks of their fidelity, application and address in the management of affairs; for these causes, and other good considerations us thereunto moving, We have commissioned, ordained and deputed the said Sieurs Bentinck, Wassenaer, Hasselaer, and Van Haren, do commission, ordain and depute them, by these presents, and have given and do give unto them full power, commission, and special order, to go to Aix la Chapelle, in quality of
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our Ambassadors Extraordinary and Plenipotentiaries for the peace, and there to confer with the Ambassadors Extraordinary and Plenipotentiaries of his Most Christian Majesty, and his allies, provided with sufficient powers, and there to treat of the means of terminating and pacifying the differences which at present occasion the war; and our said Ambassadors Extraordinary and Plenipotentiaries, all together, or any of them; or any one among them, in case of absence of the others, by sickness or other impediment, shall have power to agree about the same, and thereupon to conclude and sign a good and sure peace, and, in general, to transact, negotiate, promise, and grant whatever they shall think necessary to the said effect of the peace, and generally to do every thing that we could do, if we were there present, even though a more special power, and order, not contained in these presents, should be necessary for that purpose; promising sincerely and bonâ fide, to accept and keep firm and stable whatever by our said Ambassadors Extraordinary and Plenipotentiaries, or by any, or any one of them, in case of sickness, absence, or other impediment of the others, shall have been stipulated, promised and granted, and thereof to cause our letters of ratification to be dispatched, in the time that they shall have promised in our name to furnish them. Given at the Hague in our assembly, under our great seal, the paraphe of the President of our assembly, and the signature of our First Griffier, the eighth day of March, 1748.

(Signed)

H. van Iffelmuden, Vt.

(Lower)

By order of the said Lords the States-General, (Signed)

H. Fagel.

The States General's Full Power.

THE States General of the United Provinces of the Netherlands. To all those, who shall see these presents, greeting. Whereas we desire nothing more ardently, than to see the war, with which Christendom is at present afflicted, terminated by a good peace; and the city of Aix la Chapelle has been agreed upon for the place

of the Conferences ; We, by the same desire of putting a stop, as far as shall be in Us, to the desolation of so many provinces, and to the effusion of so much Christian blood, have been willing to contribute thereto all that depends upon us ; and, to this end, have already deputed some persons heretofore to the said assembly out of our own body, who have given several proofs of the knowledge and experience, which they have of public affairs, as well as of the affection, which they have for the good of our state ; To wit, the Sieurs William Bentinck, Lord of Rhoon and Pendrecht, of the body of Nobles of the province of Holland and West-Frizeland, Curator of the university of Leyden, &c. Frederic Henry Baron Wassenauer, Lord of Catwyck and Zand, of the body of Nobles of the province of Holland and West-Frizeland, Hoog-Heemrade of Rhymland, &c. Gerard Arnold' Hasselaer, Schepen and Senator of the city of Amsterdam, and director of the East-India Company ; and Onno Zwier Van Haren, Grietman of West-Stellingwerff, deputed counsellor of the province of Frizeland, and Commissary-General of all the Swiss and Grison troops in our service ; respective deputies in our assembly, and in the council of state, on the part of the provinces of Holland and West-Frizeland, and Frizeland. And whereas we have at present thought proper to join a fifth person to the four above-mentioned, for this same purpose ; and the Sieur John Baron Van Borstle, first Noble, and representing the nobility, in the states, in the council, and in the admiralty of Zeeland, director of the East-India Company, and deputy in our assembly on the part of the said province of Zeeland, has distinguished himself in several employments of importance for our service, in which he has given marks of his fidelity, application and address in the management of affairs : For these causes, and other good considerations Us thereunto moving, We have commissioned, ordained, and deputed the said Sieur Van Borstle, do commission, ordain, and depute him, by these presents, and have given, and do give unto him full power, commission, and special order, to go to Aix la Chapelle, in quality of our Ambassador Extraordinary and Plenipotentiary for the peace, and there to confer with the Ambassadors Extraordinary and Plenipotentiaries
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of his Most Christian Majesty and his Allies, provided with sufficient full powers, and there to treat of the means of terminating and pacifying the differences, which at present occasion the war, and our said Ambassador Extraordinary and Plenipotentiary, together with the said Sieurs Bentinck, Waffenaer, Haffelaer, and Van Haren, our other four Ambassadors Extraordinary and Plenipotentiaries, or with any, or any one of them, or even alone, in case of absence of the others, by sickness or other impediment, shall have power to agree about the same, and thereupon to conclude and sign a good and sure peace, and in general to transact, negotiate, promise, and grant, whatever he shall think necessary for the said effect of the peace, and generally do every thing that we could do, if we were there present, even tho' a more special power and order, not contained in these presents, should be necessary for that purpose; promising sincerely, and bonâ fide, to accept and keep firm and stable, whatever by the said Sieur Van Borffele, together with our other four Ambassadors Extraordinary and Plenipotentiaries, or any, or any one of them, or by him alone, in case of sickness, absence, or other impediment of the others, shall have been stipulated, promised, and granted, and thereof to cause our letters of ratification to be dispatched, in the time that they shall have promised in our name to furnish them. Given at the Hague, in our assembly, under our great seal, the paraphe of the President of our assembly, and the signature of our First Greffier, the 25th day of April, 1748.

(Signed) *H. V. Hamerster, Vt.*

(Lower) By order of the said Lords the States General,

(Signed) *H. Fagel.*

The Accession of the Empress Queen of Hungary.

In the Name of the most Holy and Undivided Trinity,
Father, Son, and Holy Ghost.

BE it known to all, whom it shall or may concern. The Ambassadors Extraordinary and Plenipotentiaries of his Britannick Majesty, of his most Christian Majesty, and of the High and Mighty Lords the States-General

neral of the United Provinces, having concluded and signed, in this city of Aix la Chapelle, on the 18th day of this present month of October, upon the basis of the preliminaries which were agreed upon and concluded between them the 30th day of April of the present year, a general and definitive treaty of peace, and two separate articles, the tenor of which treaty and separate articles follows.

Fiat Inferio.

And the said Ambassadors Extraordinary and Plenipotentiaries having, in a friendly manner, invited the Ambassador Extraordinary and Plenipotentiary of her Majesty the Empress Queen of Hungary and Bohemia, to accede thereto, in the name of her said Majesty.

The Ambassadors under-written, that is to say, on the part of the most serene and most potent prince, George the Second, by the grace of God, King of Great-Britain, John Earl of Sandwich, Viscount Hinchinbrooke, Baron Montagu of St. Neots, Peer of England, First Lord Commissioner of the Admiralty, one of the Lords of the Regency of the kingdom, his Minister Plenipotentiary to the Lords the States General of the United Provinces; and Sir Thomas Robinson, Knight of the most honourable order of the Bath, and his Minister Plenipotentiary to his Majesty the Emperor of the Romans, and to her Majesty the Empress Queen of Hungary and Bohemia; and on the part of the most serene and most potent Princess Maria Theresia, by the grace of God, Queen of Hungary and Bohemia, Empress, the Lord Wenceslas Anthony Count de Kaunitz Rittberg, Lord of Effens, Stetefeldorff, Wittmund, Austerlitz, Hungrischbrod, Wiese, &c. actual Privy Counsellor to their Imperial Majesties, by virtue of their full powers, which they have communicated to each other, and copies whereof are annexed to the end of this present act, have agreed on what follows.

That her Majesty the Empress Queen of Hungary and Bohemia, being desirous of contributing to re-establish and confirm, as soon as possible, the repose of Europe, accedes, by virtue of the present act, to the said treaty and two separate articles, without any reserve or exception, in the
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firm confidence that every thing, which is therein promised to her said Majesty, will be bonâ fide fulfilled; declaring, at the same time, and promising, that she will, in like manner, most faithfully perform all the articles, clauses and conditions, which relate to her.

His Britannick Majesty likewise accepts the present accession of the Empress Queen of Hungary and Bohemia, and promises, in like manner, to perform, without any reserve or exception, all the articles, clauses, and conditions, contained in the said treaty and the two separate articles before inserted.

The ratifications of the present act shall be exchanged, in this city of Aix la Chapelle, within the space of three weeks, to be computed from this day.

In witness whereof, we the Ambassadors Extraordinary and Plenipotentiaries of his Britannick Majesty, and her Majesty the Empress Queen of Hungary and Bohemia, have signed the present act, and have thereunto affixed the seal of our arms.

Done at Aix la Chapelle, the 23d day of October, 1748.

(L. S.) *Sandwich.*

(L. S.) *Le Comte V. A.*

(L. S.) *T. Robinson.*

de Kaunitz Rittberg.

The Empress Queen of Hungary's Full Power.

WE Maria Theresia, by the grace of God, Empress of the Romans, and of Germany, of Hungary, Bohemia, Dalmatia, Croatia, Slavonia, &c. Queen, Arch-Duchess of Austria, Duchess of Burgundy, Brabant, Milan, Styria, Carinthia, Carniola, Mantua, Parma and Placentia, Limburgh, Luxemburgh, Gueldre, Wurtemberg, of the Upper and Lower Silesia, Princess of Suabia, and Transylvania, Marchioness of the Holy Roman Empire, Burgovia, Moravia, and the Upper and Lower Lusatia; Countess of Habsburg, Flanders, Tirol, Ferrete, Kybourg, Goritia, Gradisca, and Artois, Countess of Namur, Lady of the Marches of Slavonia, the Port of Naon, Saline, and Mechlin, &c. Duchess of Lorraine and Barr, Great Duchess of Tuscany, &c. Do make known, and certify, by virtue of these presents. Whereas

we

we are informed, that the congress which had been opened at Breda is dissolved; and that conferences are to be held at Aix la Chapelle, between the ministers of the several princes engaged in the present war, authorized to agree upon the means of terminating the differences that have arisen between them, and restoring peace: And as we have nothing more at heart, than to do every thing, that depends upon us, towards obtaining, as soon as possible, so desirable an end, in the most secure and effectual manner; we lose no time in doing our part towards the promoting so salutary a work, by sending thither our Ministers Plenipotentiaries, whom we have, moreover, invested with the character of our Ambassadors. Confiding therefore entirely in the often tried fidelity, experience in business, and great prudence of our actual Privy Counsellor, Wenceslaus Anthony de Kaunitz & Rittberg, Count of the Holy Roman Empire, as also of Thaddæus, Free Baron of Reischach, our Lord of the Bed-chamber, Counsellor of the government of Anterior Austria, and our Minister to the High and Mighty the States General of the United Provinces; both of whom, and each of them, we have invested with the character of our Ambassador, as well as with full powers, as we do accordingly, by these presents, invest them both, and each of them, in case of the absence or hindrance of the other, in the most ample manner possible; to the end, that both, or either of them, in case of the absence or hindrance of the other, may join their endeavours with our allies, and their ministers, hold friendly conferences with those of other princes engaged in the present war against us or our allies, and with any one or more of them, furnished with the like full powers, and agree upon any matters and things relating thereto, and whatever shall have been so agreed upon, whether jointly, or separately, to sign and seal; and, in a word, to do all those things, in our name, which we ourselves could do, if personally present: Promising, on our Imperial, Royal, and Archiducal word, that we will agree to, accept of, and faithfully fulfill, all and singular such acts, as our aforesaid Ministers Plenipotentiaries, invested over and above with the characters of our Ambassadors, shall have so done, concluded, and signed. In witness whereof, and for its

greater

greater force, we have signed the present full powers with our own hand, and ordered our Imperial, Royal, and Archiducal seal to be affixed thereto. Given in our city of Vienna, the 19th day of December, in the year 1747, the 8th year of our reign.

(Signed)

M A R I A T H E R E S I A.

C. Count Ulfeld.

By command of her Sacred, Imperial Royal Majesty,
John Christopher Bartenstein.

His Catholick Majesty's Acceffion.

In the name of the most Holy and Undivided Trinity,
Father, Son, and Holy Ghost.

BE it known to all those, to whom it shall belong or can belong. The Ambassadors and Plenipotentiaries of his Britannick Majesty, of his most Christian Majesty, and of the High and Mighty Lords the States General of the United Provinces, having concluded and signed at Aix la Chapelle, the 18th of October of this year, a definitive treaty of peace, and two separate articles; the tenour of which treaty and separate articles is as follows.

Fiat Insertio.

And the said Ambassadors and Plenipotentiaries having amicably invited the Ambassador Extraordinary and Plenipotentiary of his Catholick Majesty to accede thereto in the name of his said Majesty. The under-written Ambassadors; to wit, on the part of the most serene and most potent Prince, George the Second, by the grace of God, King of Great-Britain, France, and Ireland, Duke of Brunswick and Lunenburg, Arch-Treasurer and Elector of the Holy Roman Empire, &c. the Lords, John Earl of Sandwich, Viscount of Hinchinbrooke, Baron Montagu of St. Neots; Peer of England, First Lord Commissioner of the Admiralty, one of the Lords Regents of the kingdom, his Minister Plenipotentiary to the Lords the States General of the United Provinces; and Thomas Robinson, Knight of the most honourable order of the Bath, and his Minister Plenipotentiary to his Majesty the Emperor of the

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the Romans, and her Majesty the Empress Queen of Hungary and Bohemia. And on the part of the most serene and most potent Prince, Ferdinand the Sixth, by the grace of God, King of Spain and of the Indies, the Lord Don James Masfione de Lima y Soto Mayor, Lord of the Bedchamber of his said Catholick Majesty, and Major General of his armies. By virtue of their full powers, which they have communicated, and copies whereof are added at the end of the present act, have agreed upon what follows.

That his Catholick Majesty, desiring to contribute and concur to re-establish and settle, as soon as possible, the peace of Europe, accedes, by virtue of the present act, to the said treaty, and two separate articles, without any reserve or exception, in a firm confidence, that whatsoever is promised therein to his said Majesty, shall be faithfully fulfilled; declaring at the same time, and promising, that he will also perform most faithfully all the articles, clauses and conditions, which concern him.

In like manner his Britannick Majesty accepts the present accession of his Catholick Majesty; and likewise promises to perform, without any reserve or exception, all the articles, clauses, and conditions, contained in the said treaty, and two separate articles, inserted above.

The ratifications of the present act shall be exchanged in this city of Aix la Chapelle in the space of a month, to be computed from this day.

In testimony whereof, We the Ambassadors Extraordinary and Plenipotentiaries of his Britannick Majesty, and of his Catholick Majesty, have signed the present act, and have caused the seal of our arms to be set thereto.

Done at Aix la Chapelle the 20th of October, 1748.

(L. S.) *sandwich.* (L. S.) *Don Jayme Masfiones de Lima*
(L. S.) *T. Robinson.* *y Soto Mayor.*

His Catholick Majesty's Full Power.

FERDINAND, by the Grace of God, King of Castile, of Leon, of Arragon, of the Two Sicilies, of Jerusalem, of Navarre, of Granada, of Toledo, of Valencia, of Galicia, of Mayorca, of Seville, of Sardinia, of Cordova, of Corsica, of Murcia, of Jaen, of the Algarbes,
of

of Algezira, of Gibraltar, of the Canary islands, of the East and West Indies, islands and Terra Firma of the Ocean Sea, Arch-Duke of Austria, Duke of Burgundy, of Brabant and Milan, Count of Habsburg, of Flanders, Tirol and Barcelona, Lord of Biscay and of Molina, &c. Whereas it has been my most earnest desire, ever since Divine Providence has trusted me with the government of the vast dominions annexed to my crown, to put an honourable end to the troubles in which I found my arms involved, and to concur in giving peace to Europe, by all the just means that should appear most conducive to that end: And whereas I knowing that several ministers, particularly those of the powers now at war, are meeting at Aix la Chapelle with the same view to a general pacification; and it being therefore necessary that I should appoint one to assist on my part, endowed with that fidelity, zeal, and understanding, requisite for such a purpose, and finding in you, Don Jaime Masone de Lima, Lord of my Bed-chamber, and Major-General of my armies, these special and distinguished qualifications; I do chuse and nominate you, to the end that, invested with the character of my Ambassador Extraordinary and Plenipotentiary, you do repair, in my name, to Aix la Chapelle, and representing, at that place, my own person, you do treat and confer with the minister or ministers of the powers now at war, who do already, or shall hereafter, reside there, or in any other place where it shall be thought convenient to treat; and to the end that you may, in the same manner, conclude and sign with the said ministers, the treaty or treaties which shall tend to the sole view of producing a solid and honourable peace; and whatever you may thus treat of, conclude, and sign, I do from this time acknowledge as accepted and ratified, and promise, upon my royal word, to observe and fulfill, and to cause the same to be observed and fulfilled in the same manner, as if I myself had treated and conferred upon, concluded and signed the same. To which end, I do hereby give you all my authority and full power, in the most ample manner as by law required. In witness whereof, I have caused the presents to be dispatched, signed with my hand, sealed with my secret seal, and countersigned by my underwritten

Counsellor, and Secretary of State, and of the general Dispatch of War, the Revenues, Indies and Marine. Given at Aranjués the 12th of May, 1748.

I T H E K I N G.

Cenon de Somo de Villa.

His Sardinian Majesty's Accession.

In the name of the most Holy and Undivided Trinity,
Father, Son, and Holy Ghost.

BE it known to all those, to whom it shall or may belong.

The Ambassadors Extraordinary and Plenipotentiaries of his Britannick Majesty, of his most Christian Majesty, and of the High and Mighty Lords the States General of the United Provinces, having concluded and signed in this city of Aix la Chapelle, the 18th of the month of October last; upon the foundation of the preliminaries at first agreed to and settled amongst them the thirtieth of April of this year, a general and definitive treaty of peace, and two separate articles, the tenor of which treaty and separate articles is as follows.

Fiat Insertio.

And the said Ambassadors Extraordinary and Plenipotentiaries having amicably invited the Ambassadors Extraordinary and Plenipotentiaries of his Majesty the King of Sardinia to accede thereto in the name of his said Majesty.

The under-written Ambassadors, to wit, on the part of the most serene and most powerful Prince George the Second, by the Grace of God, King of Great-Britain, France, and Ireland, the Lords, John Earl of Sandwich, Viscount of Hinchinbrooke, Baron Montagu of Saint Neots, Peer of England, First Lord Commissioner of the Admiralty, one of the Lords Regents of the Kingdom, his Minister Plenipotentiary to the Lords the States General of the United Provinces; and Thomas Robinson, Knight of the most honourable order of the Bath, and his Minister Plenipotentiary

tentiary to his Majesty the Emperor of the Romans, and her Majesty the Empress Queen of Hungary and Bohemia; and on the part of the most serene and most potent Prince, Charles Emanuel the Third, by the grace of God, King of Sardinia, the Lords Don Joseph Offorio, Chevalier Grand Croix, and Grand Conservator of the military order of the Saints Maurice and Lazarus, and Envoy Extraordinary of his Majesty the King of Sardinia to his Majesty the King of Great-Britain; and Joseph Borre Count de la Chavanne, his Counsellor of State, and his Minister to the Lords the States General of the United Provinces, by virtue of their full powers, which they have communicated to each other, and copies whereof are added at the end of the present act, have agreed upon what follows:

That his Majesty the King of Sardinia, desiring to contribute and concur to re-establish and settle, as soon as possible, the peace of Europe, accedes, by virtue of the present act, to the said treaty and two separate articles, in a firm confidence, that whatsoever is promised therein to his said Majesty, shall be faithfully fulfilled; declaring at the same time, and promising, that he will also perform, most faithfully, all the articles, clauses, and conditions, which regard him.

In like manner, his Britannick Majesty accepts the present accession of his Majesty the King of Sardinia; and likewise promises to perform, without reserve or exception, all the articles, clauses, and conditions, contained in the said treaty and the two separate articles, inserted above.

The ratifications of the present act shall be exchanged in this city of Aix la Chapelle, in the space of twenty-five days, to be computed from this day.

In testimony whereof, We the Ambassadors Extraordinary and Plenipotentiaries of his Britannick Majesty, and of his Majesty the King of Sardinia, have signed the present act, and have caused the seal of our arms to be set thereto:

Done at Aix la Chapelle, the seventh of November, one thousand seven hundred forty eight:

(L. S.) *T. Robinson.*

(L. S.) *Offorio.*

(L. S.) *De la Chavanne.*

The King of Sardinia's Full Power.

CHARLES EMANUEL, by the grace of God, King of Sardinia, of Cyprus, and of Jerusalem; Duke of Savoy, of Montferrat, of Aoste, of Chablais, of Genevois and of Plaisance; Prince of Piedmont and of Oneille; Marquis of Italy, of Saluces, of Susa, of Ivree, of Ceva, of Maro, of Oristan, and of Sefane; Count of Maurienne, of Geneva, of Nice, of Tende, of Romont, of Ast, of Alexandria, of Goccan, of Novara, of Tortona, of Vigevano and of Bobbio; Baron of Vaud and of Faucigny; Lord of Verceil, of Pignerol, of Tarantaise, of the Lumelline and of the Valley of Sesia; Prince and perpetual Vicar of the Holy Empire in Italy, &c. To all, who shall see these presents, greeting: Whereas, after having acceded to the preliminary articles of peace, signed the 30th of April last at Aix la Chapelle, We are sincerely desirous of concurring in the perfect re-establishment of the general peace in Europe, to which all the powers, that have signed and acceded, as we have done, to the aforesaid preliminary articles, are disposed to give their assistance, by reducing those same preliminary articles, and other acts depending thereon, into one definitive treaty of general peace. For these reasons, and other considerations us thereunto moving, we, trusting in the capacity, experience, zeal and fidelity for our service, of our dear, well-beloved and trusty, the Chevalier Ossorio, Knight Grand Croix and Grand Conservator of our military order of the Saints Maurice and Lazarus, and our Envoy Extraordinary to the King of Great-Britain; and the Count Boire de la Chavanné; our Counsellor of State, our Minister to the Lords the States-General of the United Provinces, and our Minister Plenipotentiary to the conferences of Aix la Chapelle, have named and deputed them, as by these presents we do name and depute them our Ambassadors Extraordinary and Plenipotentiaries; and have given them, and do give them, power, commission, and special order, in our name, and in the said quality of our Ambassadors Extraordinary and Plenipotentiaries, to make, conclude and sign, both jointly, or one of them alone, in case of absence, sickness, or other hindrance of the other, with the respective Ambassadors Extraordinary and Plenipotentiaries

potentiaries of the above-mentioned powers, jointly or separately, provided with powers for that purpose, such definitive treaty of peace, articles, conventions, or acts, as they shall think fit for re-establishing, in a solid manner, the general peace in Europe, or to accede to those, which shall have been already concluded and signed for the same end; willing, that they should, upon those occasions, act with the same authority, as we would do, if we were present in person, and even if any thing should occur, which might require a more special order, not contained in these presents: promising, upon the faith and word of a King, to observe and cause to be observed, inviolably, all that shall be done, agreed, regulated and signed by the above-mentioned Chevalier Officio, and Count de la Chavanne, our Ambassadors Extraordinary and Plenipotentiaries, without contravening, or suffering any contravention thereto, directly or indirectly, for what cause, or under what pretext soever it shall or may be; as also to cause to be dispatched, our letters of ratification thereof in due form, to be exchanged within the term which shall be agreed on. In witness whereof, we have signed these presents with our hand, and caused them to be countersigned by the Marquis D. Leopold de Carret de Gorzegne, our first Secretary of state for foreign affairs, and caused the secret seal of our arms to be affixed thereto. Given at Turin, the twenty-fourth of the month of August, in the year of our Lord one thousand seven hundred and forty-eight, and of our reign the nineteenth.

(L. S.) C. E M A N U E L.

(Lower)

Carret de Gorzegne.

The Accession of the Duke of Modena.

In the name of the most Holy and Undivided Trinity,
Father, Son, and Holy Ghost.

BE it known to all those, to whom it shall or may belong. The Ambassadors Extraordinary and Plenipotentiaries of his Britannick Majesty, of his most Christian Majesty, and of the High and Mighty Lords the States General

neral of the United Provinces, having concluded and signed, in this city of Aix la Chapelle, the 18th of the present month of October, upon the foundation of the preliminaries, at first agreed upon and concluded amongst them the 30th day of April of this year, a general and definitive treaty of peace, and two separate articles; the tenour of which treaty and separate articles follows.

Fiat Infertio.

And the said Ambassadors Extraordinary and Plenipotentiaries having amicably invited the Minister Plenipotentiary of his most Serene Highness, Francis the Third, by the grace of God, Duke of Modena, Reggio, Mirandola, &c. to accede thereto in the name of his most Serene Highness.

The under-written Ambassadors and Minister Plenipotentiary; to wit, on the part of the most serene and most potent Prince, George the Second, by the grace of God, King of Great-Britain, France, and Ireland, the Lords, John Earl of Sandwich, Viscount of Hinchinbrooke, Baron Montagu of St. Neots, Peer of England, First Lord Commissioner of the Admiralty, one of the Lords Regents of the kingdom, his Minister Plenipotentiary to the Lords the States General of the United Provinces; and Thomas Robinson, Knight of the most honourable order of the Bath, and his Minister Plenipotentiary to his Majesty the Emperor of the Romans, and her Majesty the Empress Queen of Hungary and Bohemia. And on the part of his most Serene Highness the Duke of Modena, the Sieur Count de Monzone, his Counsellor of State and Colonel in his service, and his Minister Plenipotentiary to his most Christian Majesty, by virtue of their full powers, which they have communicated to each other, and of which copies are added at the end of the present act, have agreed on what follows.

That his most Serene Highness the Duke of Modena, desiring to contribute and concur to re-establish and settle, as soon as possible, the peace of Europe, accedes, by virtue of the present act, to the said treaty, and two separate articles, without any reserve or exception, in a firm confidence,

dence, that what is promised to his said most Serene Highness therein, shall be faithfully fulfilled; declaring and promising at the same time, that he will also perform most faithfully all the articles, clauses and conditions, which concern him.

In like manner his Britannick Majesty accepts the present accession of his most Serene Highness the Duke of Modena, and promises likewise to fulfil, without any reserve or exception, all the articles, clauses, and conditions, contained in the said treaty, and the two separate articles, inserted above.

The ratifications of the present act shall be exchanged, in this city of Aix la Chapelle, in the space of three weeks, to be computed from this day.

In testimony whereof, We the Ambassadors Extraordinary and Minister Plenipotentiary of his Britannick Majesty, and of his most Serene Highness the Duke of Modena, have signed the present act, and have caused the seal of our arms to be set thereto.

Done at Aix la Chapelle the 25th of October, 1748.

(L. S.) *T. Robinson.* (L. S.) *Le Comte de Monzone.*

The Duke of Modena's Full Power.

FRANCIS, Duke of Modena, Reggio, Mirandola.

WHEREAS, in the conferences to be held at Aix la Chapelle, for a general pacification between the powers concerned in the present war, affairs are to be treated of which regard us; for which it is necessary to have a minister there, on whose ability, fidelity and prudence we may safely rely, we have not thought that we could employ any person with greater confidence, on this occasion, than the Count de Monzone, our Counsellor of State, Minister Plenipotentiary at the court of his most Christian Majesty, and Colonel in our service; for which reason we do chuse and depute him for our Minister Plenipotentiary at the said congress, by giving and granting to him, faculty, authority, and full power, with general and special order, to treat there, in our name, of all matters which concern us, and to promise, agree to, conclude, stipulate and sign, on our part, whatever he shall judge most

convenient for our service ; desiring, for this end, the Ministers Plenipotentiary of all the courts concerned, which shall be present at the said congress, to accept of, and acknowledge him, as our Minister Plenipotentiary ; promising, on the faith and word of a Prince, to hold as confirmed and ratified, and to approve and observe all that shall be concluded, accepted of, and stipulated by the same Minister Plenipotentiary.

In witness whereof, we have signed these presents, which shall be counter-signed by one of our Ministers, and have our seal affixed thereto. Given at Marseilles this 30th of November, 1748.

(Signed) F R A N C E S C O.

(And underneath counter-signed)

De Bondigli.

The Republick of Genoa's Accession.

In the Name of the most Holy and Undivided Trinity,
Father, Son, and Holy Ghost.

BE it known to all those, to whom it shall, or may belong.

The Ambassadors Extraordinary and Plenipotentiaries of his Britannick Majesty, of his most Christian Majesty, and of the High and Mighty Lords the States-General of the United Provinces, having concluded and signed, in this city of Aix la Chapelle, on the 18th of the present month of October, upon the foundation of the preliminaries, at first agreed upon and settled amongst them the 30th day of April of this year, a general and definitive treaty of peace, and two separate articles, of which treaty and separate articles the tenor is as follows.

Fiat Inscriptio.

And the said Ambassadors Extraordinary and Plenipotentiaries having amicably invited the Minister Plenipotentiary of the most Serene Republick of Genoa, to accede thereto, in the name of the said most Serene Republick.

The under-written Ambassadors and Minister Plenipotentiary ; to wit, on the part of the most serene and most
potent

potent prince, George the Second, by the grace of God, King of Great-Britain, France, and Ireland, the Lords, John Earl of Sandwich, Viscount of Hinchinbrooke, Baron Montagu of St. Neots, Peer of England, First Lord Commissioner of the Admiralty, one of the Lords Regents of the kingdom, his Minister Plenipotentiary to the Lords the States General of the United Provinces; and Thomas Robinson, Knight of the most honourable order of the Bath, and his Minister Plenipotentiary to his Majesty the Emperor of the Romans, and to her Majesty the Empress Queen of Hungary and Bohemia; and on the part of the most serene Republick of Genoa, the Sieur Francis Marquis Doria, by virtue of their full powers, which they have communicated to each other, and copies whereof are added at the end of the present act, have agreed upon what follows.

That the most Serene Republick of Genoa, desiring to contribute and concur to re-establish and settle the quiet of Europe, accedes, by virtue of the present act, to the said treaty and two separate articles, without any reserve or exception, in a firm confidence that whatsoever is promised therein to the said most Serene Republick, shall be faithfully fulfilled; declaring, at the same time, and promising, that she will also perform, most faithfully, all the articles, clauses and conditions, which regard her.

In like manner his Britannick Majesty accepts the present accession of the most Serene Republick of Genoa; and likewise promises to perform, without any reserve or exception, all the articles, clauses, and conditions, contained in the said treaty and the two separate articles inserted above.

The ratifications of the present act shall be exchanged, in this city of Aix la Chapelle, in the space of twenty-five days, to be computed from this day.

In testimony whereof, we the Ambassadors Extraordinary and Minister Plenipotentiary of his Britannick Majesty, and of the most Serene Republick of Genoa, have signed the present act, and have caused the seal of our arms to be affixed thereto.

Done at Aix la Chapelle, the 28th of October, 1748.
(L. S.) *T. Robinson.* (L. S.) *Fr. cois M. ie Marquis D'Oria.*

Tae

The Republick of Genoa's Full Power.

The Doge, Governours, and Procurators of the Republick of Genoa.

CONscious of the experience, fidelity and zeal of our Patrician Francesco Maria D'Oria, We have chosen and deputed him, as our Minister Plenipotentiary at the conferences of peace at Aquisgrano, otherwise Aix la Chapelle, or any other place where the said conferences of peace may hereafter be held, or transferred to, and we have given and conferred upon him, as we do give and confer upon him, ample faculty and full power, with general and special order, to treat there in our name, upon the affairs which regard us, and to agree to, conclude, stipulate and sign, on our part, whatever he shall apprehend to be most suitable to our interests, and that, in the same manner, as we ourselves, were we present, could do, although a more full and special order than the present might be requisite, desiring, for this end, the Ministers Plenipotentiaries of all the courts concerned, which shall be present at the said conferences, to accept of, and acknowledge him, as our Minister Plenipotentiary; promising, on the faith and word of a Prince, to hold as confirmed and ratified, and to observe all that shall be concluded, accepted, stipulated and signed by the same, in virtue of the present full power; as also to dispatch our ratifications in due form, to be exchanged within the time which shall be agreed upon.

In witness whereof, these presents shall be signed by our underwritten Secretary of State, with our usual seal affixed thereto.

Given at our royal palace, this first of March, 1748.

C. Giuseppe Maria Sertorio,
(L. S.) Secretary of State.

A Treaty concluded and signed at Madrid, on the 5th of October N. S. 1750, between the Ministers Plenipotentiaries of their Britannick and Catholick Majesties.

WHEREAS by the 16th article of the treaty of Aix-la-Chapelle, it has been agreed between their Britannick and Catholick Majesties, that the treaty of the Affiento for the commerce of Negroes, and the article of the annual ship, for the four years of non-enjoyment, should be confirmed to Great-Britain, upon the same foot, and upon the same conditions, as they ought to have been executed before the late war; and the respective Ambassadors of their said Majesties having agreed, by a declaration signed between them on the $\frac{1}{2}^{\frac{3}{4}}$ June, 1748, to regulate, at a proper time and place, by a negociation between Ministers named on each side for that purpose, the equivalent which Spain should give in consideration of the non-enjoyment of the years of the said Affiento of Negroes, and of the annual ship granted to Great-Britain, by the 10th article of the preliminaries signed at Aix-la-Chapelle, on the $\frac{1}{3}^{\circ}$ April, 1748.

Their Britannick and Catholick Majesties, in order to fulfil the said engagements of their respective Ministers, and to strengthen and perfect more and more a solid and lasting harmony between the two crowns, have agreed to make the present particular treaty between themselves, without the intervention or participation of any third power; so that each of the contracting parties acquires by virtue of the cessions which that party makes, a right of compensation from the other reciprocally: And they have named their Ministers Plenipotentiaries for that purpose, viz. His Britannick Majesty, Benjamin Keene, Esq; his Minister Plenipotentiary to his Catholick Majesty; and his Catholick Majesty, Don Joseph de Carvajal and Lancaster, Minister of State, and Dean of his Council of State; who, after having examined the points in question, have agreed on the following articles.

I. His Britannick Majesty yields to his Catholick Majesty his right to the enjoyment of the Affiento of Negroes, and the annual ship, during the four years stipulated by the 16th article of the treaty of Aix-la-Chapelle.

II. His

II. His Britannick Majesty, in consideration of a compensation of one hundred thousand pounds sterling, which his Catholick Majesty promises and engages to cause to be paid, either at Madrid or London, to the royal Assiento Company, within the term of three months at latest, to be reckoned from the day of the signing of this treaty, yields to his Catholick Majesty, all that may be due to the said Company for balance of accounts, or arising in any manner whatsoever from the said Assiento; so that the said compensation shall be esteemed and looked upon as a full and entire satisfaction on the part of his Catholick Majesty, and shall extinguish from this present time, for the future and for ever, all right, pretension, or demand, which might be formed in consequence of the said Assiento, or annual ship, directly or indirectly, on the part of his Britannick Majesty, or on that of the said Company.

III. The Catholick King yields to his Britannick Majesty all his pretensions or demands in consequence of the said Assiento and annual ship, as well with regard to the articles already liquidated, as to those which may be easy or difficult to liquidate; so that no mention can ever be made of them hereafter, on either side.

IV. His Catholick Majesty consents that the British subjects shall not be bound to pay higher, or other duties, or upon other evaluations for goods which they shall carry into, or out of the different ports of his Catholick Majesty, than those paid on the same goods in the time of Charles the Second, King of Spain, settled by the cedula and ordonnances of that King, or those of his predecessors. And although the favour or allowance called *Pie del Fardo* be not founded upon any royal ordonnance, nevertheless his Catholick Majesty declares, wills and ordains, that it shall be observed now, and for the future, as an inviolable law; and all the above-mentioned duties shall be exacted and levied, now and for the future, with the same advantages and favours to the said subjects.

V. His Catholick Majesty allows the said subjects to take and gather salt in the island of Tortudos, without any hindrance whatsoever, as they did in the time of the said King Charles the Second.

VI. His

VI. His Catholick Majesty consents, that the said subjects shall not pay any where, higher or other duties than those which his Catholick Majesty's subjects pay in the same place.

VII. His Catholick Majesty grants, that the said subjects shall enjoy all the rights, privileges, franchises, exemptions and immunities whatsoever, which they enjoyed before the last war, by virtue of cedulae or royal ordinances, and by the articles of the treaty of peace and commerce made at Madrid in 1667; and the said subjects shall be treated in Spain, in the same manner as the most favoured nation, and consequently, no nation shall pay less duties upon wool, and other merchandizes which they shall bring into, or carry out of Spain by land, than the said subjects shall pay upon the same merchandizes, which they shall bring in or carry out by sea. And all the rights, privileges, franchises, exemptions and immunities, which shall be granted or permitted to any nation whatever, shall also be granted and permitted to the said subjects; and his Britannick Majesty consents, that the same be granted and permitted to the subjects of Spain in his Britannick Majesty's kingdoms,

VIII. His Catholick Majesty promises to use all possible endeavours on his part, to abolish all innovations which may have been introduced into commerce, and to have them forborn for the future; his Britannick Majesty likewise promises to use all possible endeavours to abolish all innovations, and to forbear them for the future.

IX. Their Britannick and Catholick Majesties confirm by the present treaty, the treaty of Aix la Chapelle, and all the other treaties, therein confirmed, in all their articles and clauses, excepting those which have been derogated from by the present treaty: As likewise the treaty of commerce concluded at Utrecht in 1713, those articles excepted, which are contrary to the present treaty, which shall be abolished and of no force, and namely, the three articles of the said treaty of Utrecht, commonly called Explanatory.

X. All the reciprocal differences, rights, demands and pretensions, which may have subsisted between the two crowns of Great-Britain and Spain, in which no other nation

tion whatever has any part, interest, or right of intervention, being thus accommodated and extinguished by this particular treaty; the two said most Serene Kings engage themselves mutually to the punctual execution of this treaty of reciprocal compensation, which shall be approved and ratified by their said Majesties, and the ratifications exchanged, in the term of six weeks, to be reckoned from the day of its signing, or sooner if it can be done.

In witness whereof, we the above-mentioned Ministers Plenipotentiaries, that is to say, Benjamin Keene, Esq; in the name of his Britannick Majesty, and Don Joseph de Carvajal and Lancaster, in the name of his Catholick Majesty, by virtue of our full powers, which we have mutually communicated to each other, have signed these presents, and have caused the seals of our arms to be put thereto. Done at Madrid the fifth of October, 1750; New Stile.

(L. S.) *B. Keene.*

(L. S.) *Joseph de Carvajal
& Lancaster.*

His Britannick Majesty's Ratification.

GEORGE the Second, by the Grace of God, of Great-Britain, France and Ireland, King, Defender of the Faith, Duke of Brunswick and Lunenburg, Arch-Treasurer of the Holy Roman Empire, and Prince Elector, &c. To all and singular to whom these presents shall come, greeting. Whereas a certain treaty between us and our good brother Ferdinand the Sixth, Catholick King of Spain and the Indies, was concluded and signed at Madrid, the 5th day of October last past, N. S. by Ministers Plenipotentiaries, sufficiently empowered with orders and authority on each side, in the form and words following:

Fiat Infertio.

We having seen and considered the above-written treaty, have approved, ratified. and confirmed the same, in all and singular its clauses, as by these presents we do approve,
ratify,

ratify, and confirm the same for us, our heirs and successors, engaging and promising, on our royal word, sacredly and inviolably to perform and observe all and singular its contents; and never to suffer, as far as in us lies, any person to violate the same, or in any manner to act contrary thereto. In witness whereof, we have caused our great seal of Great-Britain to be affixed to these presents; signed with our royal hand. Given at our palace at St. James's, the 5th day of November, in the year of our Lord 1750, and of our reign the twenty-fourth.

G E O R G E R.

His Catholick Majesty's Ratification.

DON Ferdinand, by the Grace of God, King of Castile, of Leon, of Arragon, of the Two Sicilies, of Jerusalem, of Navarre, of Granada, of Tolèdo, of Valencia, of Galicia, of Mayorca, of Seville, of Sardinia, of Cordova, of Corfica, of Murcia, of Jaen, of the Algarbes, of Algecira, of Gibraltar, of the Canary Islands, of the East and West Indies, Islands and Terra Firma of the Ocean Sea, Archduke of Austria, Duke of Burgundy, of Brabant, and of Milan, Count of Abspurg, of Flanders, of Tyrol, and of Barcelona, Lord of Biscay and of Molina, &c. Whereas there having been agreed on and signed at Madrid on the fifth day of October of this instant year, by Don Joseph de Carvajal and Lancaster, Knight of the most illustrious order of the Golden Fleece, my gentleman of the bed-chamber in ordinary, my Minister of State, and Dean of this Council, Governor of the supreme Council of Indies, President of the Committee of commerce and money, and Superintendant General of the posts and mails within Spain, as well as of those that go out of Spain, or come from abroad; and Benjamin Keene, Esq; Minister Plenipotentiary from the most potent King of Great-Britain to my royal person, by virtue of the full powers that have been given to them by me, and by the said most serene King, a treaty upon the equivalent that Spain is to give in consideration of the four years of the Assiento contract for Negroes,
and

and of the grant of the annual ship that Great-Britain has not enjoyed on account of the last war, and about all the differences that did subsist between our two crowns. The said treaty is actually as follows.

Fiat Infortio.

Therefore, after having seen and examined the said treaty, I have thought proper to approve of and ratify the same; as by virtue of the present I do approve of and ratify the same in the best and most ample manner I can; promising in faith of my royal word, to fulfil it entirely in the manner as it is therein contained and expressed: To this end I have ordered the present to be dispatched, which is signed with my hand, sealed with my privy seal, and counter-signed by my underwritten Counsellor of State and Secretary of the universal dispatch of war, of Indies, Marine, and of the revenues. Given at Buen Retiro, on the fifth day of December, one thousand seven hundred and fifty.

(L. S.)

I T H E K I N G.

Cenon de Somodevilla.

A Treaty of Peace and Friendship, between the King of Great-Britain, and the Emperor of Morocco: concluded at Fez, between William Petticrew, Esq; his Britannick Majesty's Consul General, and the Alcaide Haleb Lohab Ben Hamed Limury, the Emperor of Morocco's Prime Minister, and signed the 15th of Rabbi the First, in the year 1164, which is in English Stile, the 15th of January, 1750, O. S. As also the additional articles of Peace and Commerce, concluded and signed between the said two Ministers, on the 1st of February, 1751, N. S.

GEORGE the Second, by the Grace of God, King of Great-Britain, France, and Ireland, Defender of the Christian Faith, Duke of Brunswick and Lunenburg, Arch Treasurer of the Holy Roman Empire, and Prince Elector, &c. To all to whom these presents shall come, greeting.

greeting. Whereas a treaty for establishing peace and friendship was concluded and signed on the 15th of December, 1734, and copied the 15th of Rabbi the first, in the year 1164, which is in English stile; the 15th day of January, 1750, O. S. and the additional articles of peace and commerce, concluded and signed at the court of Fez, on the 1st of February, 1751, N. S. between Us and the High, Glorious, Potent, and most Noble Prince Mulay Abedela, Ben Mulay Ismael, Ben Mulay Seriph, Ben Mulay Aly, King and Emperor of the kingdoms of Fez, Morocco, Taffilete; Sus and the whole Algarbe, and the territories thereof, by William Petticrew, Esq; our Consul General on our part, and by the Alcaide Habed Lohab Ben Hamed Limury, first Minister on the behalf and by order of the said King of Fez and Morocco; in the words and form following.

THE treaty of peace between his Majesty George the Second, King of Great-Britain, France and Ireland, and Mulay Abedela Ben Ismael, King and Emperor of Fez, Mequinez, Morocco, and all the West of Africa; God bless him; and the following articles were concluded by Alcaide Habed Lohab, First Minister, and William Petticrew, Esq; his Britannick Majesty's Consul General.

I. For establishing peace and friendship, it is agreed and concluded for firm and valid, both by land and sea, in all the dominions of both powers, that the English in general shall and may now, and at all times hereafter, enjoy and continue in peace and friendship with the Emperor and his subjects, and be well used and respected by the Emperor's subjects, agreeable to the order and commands of the Emperor.

II. That such number or quantity of passports, as may be necessary, be transmitted to the Emperor, indented in such manner as shall tally with the passports that shall be received by the English merchants in England; and if an English man of war meets with any merchant ships belonging to the Emperor, such merchant ships shall be obliged to produce and shew their passports given to them by the English Consul.

III. If any dispute shall happen between the English and the Emperor's subject, the same not to be determined by a Judge, but ended and adjusted by the English Consul and the Coyed, (that is) the Mayor of the town, where such dispute shall happen.

IV. That none of the Emperor's subjects shall, at any time, forcibly enter the houses of the English, or any place belonging to them, or take and carry away any of their goods and effects, unless they have leave and authority from the Emperor so to do: That if any of the Emperor's subjects shall hire any English ship to carry and convey goods from one part of the Emperor's dominions to another, and shall happen by stress of weather, or any other occasion, to touch at any place or places in the voyage, such ship or ships shall not be obliged to pay any thing for the shelter or assistance they may receive; and that no English whatever, or any of their servants, (though not English) shall be liable to pay the tax, imposed upon the Emperor's subjects, called the poll tax.

V. That the fifteen articles of peace, made and concluded between King George the First, and Muli Ismael, are hereby agreed to and confirmed with his Majesty King George the Second, as good and valid, and shall be faithfully kept and observed, together with the aforesaid four articles.

TREATY of peace between his Majesty George the Second, King of Great-Britain, France and Ireland, and Mulay Abedela Ben Ismael, King and Emperor of Fez, Mequinez, Morocco, and all the West of Africa, God bless him; and the four following articles were concluded by Ahammed Basha and William Petticrew, Esq;

I. That if any English shall happen to be on board any ship or ships, enemies to the Emperor, that may be taken by the Emperor's ships, such English shall be well treated, delivered into the hands of the English Consul, and have their liberty to go where they please: This article to continue in force for six months from the conclusion of this peace; in which time it is required, that notice shall be given by the King of Great-Britain to all the English subjects, not to embark on board any of the Emperor's enemies

mies ships; for after that time, if the English shall so embark, the blame must be their own, as no regard will be had to them more than the Emperor's enemies.

II. If any of the Emperor's subjects shall be made slaves; and escape to an English man of war; or to Gibraltar, Port-Mahon, or any of the English dominions; that they shall be protected, and with all convenient speed, sent to their respective homes: The like treatment to be given to the English who shall be slaves; and escape to any part of the Emperor's dominions:

III. If any English shall contract any thing to be paid to the Emperor's subjects, that notes shall be given for the same; and in like manner the same to be observed by the Emperor's subjects in the English dominions; and if it shall happen; that such subjects of either power cannot write, to get some person to write such notes for them.

IV. That no excuse be made, or ignorance of this peace pretended, the same shall be published and declared to all the subjects of both powers, both what is now agreed on, and the articles concluded with King George the First; which declaration shall be signed by each power, and by them kept, to prevent disputes. This treaty was concluded the 15th of December, 1734, and copied the 15th of Rabbei the first, in the year 1164, which is, in English stile, the 15th of January, 1750.

A Additional articles of peace and commerce between the Most High, Illustrious, and Most Renowned Prince George the Second, by the grace of God, King of Great-Britain, France, and Ireland, Defender of the Christian Faith; &c. and the High, Glorious, Mighty, and Most Noble Prince Mulay Abedela, Ben Mulay Ismael, Ben Mulay Seriph, Ben Mulay Aly, King and Emperor of the kingdoms of Fez, Morocco, Tafilite, Sus, and all the Algarbe and its territories, agreed on and concluded by William Petticrew, Esq; on the behalf of his Britanick Majesty, and by the Alcaide Habel Lohab Ben Hamed Limury, First Minister on the behalf and by order of the King of Fez and Morocco.

I: It is agreed on and concluded; that from henceforward there shall be between his Majesty of Great-Britain,

Prince and Elector of Hanover, and the King of Fez and Morocco, their heirs and successors, a general, true and perfect peace for ever, as well by land as by sea and fresh waters; and also between the lands, kingdoms, dominions and territories belonging to or under the jurisdiction of his Britannick Majesty in Germany, and those appertaining to the King of Fez and Morocco, and their subjects, people or inhabitants respectively, of what condition, degree, or quality soever, from henceforth reciprocally shall owe the other all friendship; and that all ships, vessels, passengers with their effects trafficking voluntary, or compelled by enemies, disasters of the seas, or any accident whatsoever, to the coast of the Emperor of Fez and Morocco's dominions, being his Britannick Majesty's subjects in Germany, shall, from henceforth, be treated with the said regulations as specified by the treaties of peace now subsisting between his Britannick Majesty and the King of Fez and Morocco.

II. It is agreed, that all ships and vessels belonging to his Britannick Majesty in Germany, shall carry a proper pass, and that a copy of such pass, with the heads of the said passes, shall be sent to his Britannick Majesty's Consul residing in Barbary, to the end that he may deliver the same to the commanders or captains of the King of Fez and Morocco's ships of war or Cruizers, to the end that due regard may be had to this peace, and that no commander or captain may offend thro' ignorance; and all commanders or captains of ships or vessels belonging to his Britannick Majesty's subjects in Germany, meeting with any ship or vessel belonging to the King of Fez and Morocco, or his subjects, if the commander of such ship or vessel produce a pass signed by the governor of the city they belong to, with a certificate from the English Consul, and in case of his death or absence, from the major part of the English merchants residing in the said place, in such cases the said ship or vessel shall pursue freely her voyage without hindrance or molestation.

III. It is agreed, that the King of Great-Britain's subjects shall not be obliged to appear before justices of the country on any cause, but that only the governor of the city and his Britannick Majesty's Consul shall take cognizance of, and adjust the difference or suits they may have with

with the Moors, or other inhabitants in the dominions of the King of Fez and Morocco.

IV. It is agreed, that no governor or officer under the King of Fez and Morocco, shall, without the King's special order, visit or register the dwelling-houses or magazines of any of his Britannick Majesty's subjects residing in Barbary; and that all British ships, taking freight in any port of the King of Fez and Morocco, to carry to other ports of the said kingdom, shall be exempted from all port charges as usual, in whatever port they may put in; and that the Consul and the other British merchants shall be freely allowed to have Moors or Jews as their interpreters and brokers, who shall be exempted from all taxes, as likewise all their domestic servants.

All the other articles, being fifteen in number, concluded, agreed and adjusted by the Admiral Charles Stewart on the behalf of his Britannick Majesty; and by his Excellency Bashaw Hemet Ben Ally, Ben Abdalla, and his Imperial Majesty's Treasurer Mr. Moses Benatar, on behalf of the said King of Fez and Morocco, shall stand good and be of the same force, as in the reign of the Most High, Illustrious, and Renowned Prince George the First, King of Great-Britain, France and Ireland, of glorious memory; and the High, Mighty, and Most Noble Prince Mully Ismael late Emperor of Morocco; as likewise the other articles, being three in number, agreed and concluded by John Leonard Sollicoffre, Esq; on behalf of his Britannick Majesty, and his Excellency Bashaw Hamet Ben Aly Ben Abdella, on behalf of the King of Fez and Morocco.

It is agreed on and concluded, that all the articles aforementioned, being eighteen in number, with these additional articles that are translated into the Arabick language, copies thereof be sent to all his Imperial Majesty's Alcaldes and Officers of all the ports in his dominions, there to be read by the Cady or Chief Justice in publick assembly; and afterwards to remain deposited either in the hands of the Judge, or the Alcaldes of the port, that recourse may be had thereto on all occasions which may occur; and that the ratifications of the said articles shall be made within the term of six months or sooner if possible, in Spanish, which shall

shall be received and be of equal force. Dated and signed at the court of Fez, on the 1st of February, 1751, N. S.

(Signed)

Abdelhovab Aly Moory.

TREATY of peace concluded between his Majesty George the First, King of Great-Britain, France, and Ireland, and Muli Ismael, son of Muli Alli Sherife, King of Fez, Mequinez, Morocco, and all the West of Africa, God bless him. The following articles were agreed on, in the presence of Bashaw Ahamad, son of Abdula, and the then English Ambassador, interpreted by Moses son of Attor, servant and interpreter at the Emperor's court.

I. In order to establish peace between the powers, both by land and sea, and all their respective dominions, it is agreed on, that the English may now, and always hereafter, be well used and respected by our subjects, agreeable to the orders and commands of the Emperor.

II. That all English men of war and merchant ships, that shall come to any part of the Emperor's dominions, to trade or otherwise, and shall have on board a cargo, not proper for vending in the place where they shall come, may depart with the same to any other part of the Emperor's dominions, and shall pay duty but once for the same; and that no duty at all shall be paid for any war implements, such as fire-arms, swords, and any thing belonging to the army, as also for materials of all kinds for ship-building; and if any English ship shall arrive at any of the Emperor's ports, with any merchandize destined for any other part of the world, that no duty shall be paid for such merchandize, but shall depart with the same without any manner of molestation. If any English ship shall be thrown upon the Emperor's coasts by stress of weather, or otherwise, the same shall be protected, and may safely depart without any ill usage or interruption: in like manner shall be treated the Emperor's ships, happening to be thus thrown on the coast of Great-Britain, or the dominions thereto belonging.

III. That all the English ships and Emperor's ships may pass and repass the seas without hindrance, interruption or molestation.

molestation from each other ; nor shall any money, merchandize, or any demand be made or taken by the ships of either power from each other ; and if any subjects of any other nation shall be on board either the English or the Emperor's ships, they shall be safely protected by both sides.

IV. If the Emperor's men of war meet with any English ships, and shall want to see their passports, they are to send a boat with two men of fidelity to peruse the said passports, who are to return without any further trouble, and then both sides to proceed quietly on their respective voyages ; the same usage to be received by the Emperor's merchant ships from the English men of war, who shall allow the passports made out by the English consul, and if the consul shall not be present to make them, then the passports made out by the English merchants to be good and valid.

V. If the English men of war, privateers, or letter of marque ships, shall take prizes from any nation with whom they shall be at war, they shall have liberty to bring and dispose of the same in any of the Emperor's dominions, without any duty or charge whatsoever.

VI. If any English ship shall, by storm, or in flying from her enemy, come upon the Emperor's coasts, the same shall be safely protected, and nothing touched or taken away, but shall be under the direction of the English consul, who shall send the goods and people where he shall think fit.

VII. It is the mutual agreement of the King of Great-Britain and the Emperor, that the Emperor do issue out orders to all parts of his dominions, for the well using of all the English subjects ; and that particular places be appointed for the burial of their dead ; that the consul's brokers shall freely go on board any ship without interruption ; that the English consuls, merchants, and other subjects of Great-Britain, may safely travel by land with effects without any hindrance whatever ; and if any English settled in the Emperor's dominions shall be desirous to return home, that they may so do with their families, goods and effects, without interruption : If any English die, the effects of such to be taken under the care of the consul, to be disposed of as directed by the will of such person, and if no will, for the benefit of such person's next heir ; and if any

debts shall be owing to such deceased person, the same to be paid by order of the governor or other person in power, where such person shall die; and that a subject of the Emperor's be appointed to demand and receive the same, and deposit the same in the hands of the English Consul for the aforesaid uses. If any English shall contract debts in the Emperor's country, and remove from thence without satisfying the same, no other person shall be liable to pay such debts: The like usage and treatment the subjects of the Emperor are to receive in the King of Great-Britain's dominions; and that the King may send as many Consuls to the Emperor's dominions as he shall think necessary.

VIII. That no English merchant, captains of ships, or other person or persons whatsoever that are English subjects, shall be forced to sell any of their goods for less than the real value; and that no captain, master, or commander of any English ship shall be compelled, without their own will and consent, to carry any goods or merchandizes for any person or persons whatsoever; nor shall any sailor be forced away from any English ship.

IX. If any quarrel or dispute shall happen between any Englishman and a Musselman, by which hurt to either may ensue, the same to be heard before and determined by the Emperor only; and if an Englishman, who may be the aggressor, shall make his escape, no other Englishman shall suffer upon his account; and if two Englishmen shall quarrel, to be determined by the English Consul, who shall do with them as he pleases; and if any quarrel or dispute shall happen between Musselmens in England, or in any of the English dominions, by which hurt may ensue, the same to be heard before one Christian and one Musselman, and to be determined according to the laws of Great-Britain.

X. If it shall happen that this peace by any means, shall be broke, the Consul, and all other English, shall have six months time to remove themselves with their families and effects to any place they please without interruption; and that all debts owing to them shall be justly paid to them.

XI. If any English in the Emperor's dominions, or the Emperor's subjects in the English dominions, shall maliciously endeavour to break the peace, such of them who shall

shall be proved so to intend, shall by each power be punished for such offence, each power to take cognizance of their own subjects.

XII. If any of the Emperor's subjects shall purchase any commodity in the English dominions, they shall not be imposed on in price, but pay the same as is sold to the English.

XIII. That not any of the Spanish, whether captains, sailors, or other persons under the English government in Gibraltar or Port Mahon, shall be taken or molested, sailing under English colours with passports.

XIV. That no excuse be made, or ignorance pretended, of this peace, the same shall be published and declared to all the subjects of each power, which declaration shall be signed by each power, and kept by them to prevent disputes.

XV. If any men of war shall be on the Emperor's coasts, that are enemies to the English, and any English men of war, or other English ships, shall happen to be or arrive there also, that they shall not in any manner be hurt or engaged by their enemy; and when such English ships shall sail, their enemies ships shall not set sail under forty-hours afterwards. And if after the conclusion of this peace, any ships shall happen to be taken by either powers within six months after the proclamation of the peace, that the same, with the people and effects, shall be restored. Made and declared in the presence of the Emperor's servant Ahammed Basha, son of Alli, son of Abdula, by the authority given to him by the Emperor. Dated this 23d of January, in the year 1721, English stile. Wrote and given to Charles Stewart, Esq; the English ambassador, in the seventh year of the reign of our late royal father King George the First.

WE having seen and considered the above-written treaty, with the additional articles, have approved, ratified, and confirmed the same, in all and singular their clauses, as by these presents we do approve, ratify, and confirm the same, for us, our heirs, and successors, engaging and promising on our royal word, sacredly and inviolably to perform and observe all and singular their con-

tents, and never to suffer, as far as in us lies, any person to violate the same, or in any manner to act contrary thereto. In witness whereof we have caused our great seal of Great-Britain to be affixed to these presents, signed with our royal hand. Given at our Court at Kensington the Thirty-first day of July, in the year of our Lord, 1751, and of our reign the twenty-fifth.

GEORGE R.

Treaty of peace and commerce, between the most serene and mighty Prince GEORGE the Second, by the Grace of God, of Great-Britain, France, and Ireland, King, Defender of the Christian Faith, Duke of Brunswick and Lunenburgh, Arch-Treasurer and Elector of the Holy Roman Empire, &c. &c. &c. &c. And the most excellent and illustrious Lords, Mahammet Bashaw Gramali, Dey, Governor, and Captain General, Seedy Ali Bey, Seedy Hassan Kiaja, the Divan, and all the Officers, Soldiers, and People of the noble city and kingdom of Tripoli in Barbary, renewed, agreed on, and confirmed, by the honourable Augustus Keppel, Commander in chief of his Britannick Majesty's ships and vessels in and about the Mediterranean seas, and Robert White, Esq; his said Serene Majesty's agent and Consul general to the Dey and State of Tripoli, furnished with his Majesty's full powers for that purpose.

Article I.

IN the first place it is agreed and concluded, That from this time forward, for ever, there shall be a true and inviolable peace, between the most Serene King of Great-Britain, and the most illustrious Lords and Governors of the city and kingdom of Tripoli in Barbary; and between all the dominions and subjects of either side; and if the ships and subjects of either party, shall happen to meet upon the seas, or elsewhere, they shall not molest each other, but shall shew all possible respect and friendship.

II. That all merchant ships belonging to the dominions of Great-Britain, and trading to the city, or any part of the kingdom of Tripoli, shall pay no more than Three-
per

per Cent. custom, for all kinds of goods they shall sell: and for such as they shall not sell, they shall be permitted freely to embark it again on board their ships, without paying any sort of duty whatsoever, and shall depart without any hindrance or molestation.

III. That all ships and other vessels, as well those belonging to the said King of Great-Britain, or to any of his Majesty's subjects, as those belonging to the kingdom or people of Tripoli, shall freely pass the seas, and traffick where they please, without any search, hinderance or molestation from each other: And that all persons or passengers, of what country soever; and all monies, goods, merchandizes, and moveables, to whatsoever people or nation belonging, being on board of any the said ships or vessels, shall be wholly free, and shall not be stopped, taken or plundered from either party.

IV. The Tripoli ships of war, or any other vessels thereunto belonging, meeting with any merchant ships, or other vessels of the King of Great-Britain's subjects not being in any of the seas appertaining to any of his Majesty's dominions) may send on board, one single boat, with two fitters, besides the ordinary crew of rowers; and no more but the two fitters to enter any of the said merchant ships, or any other vessels, without the express leave of the commander of every such ship or vessel; and then, upon producing unto them a pass under the hand and seal of the Lord High Admiral of England, the said boat shall presently depart, and the merchant ship or ships, vessel or vessels, shall proceed freely on her or their voyage: And although the commander or commanders of the said merchant ship or ships, vessel or vessels, produce no pass from the Lord High Admiral of England, yet if the major part of the ship's or vessel's company be subjects to the said King of Great-Britain, the said boat shall presently depart, and the merchant ship or ships, vessel or vessels, shall proceed freely on her or their voyage: And any of the said ships of war, or other vessels of his said Majesty, meeting with any ship or ships, vessel or vessels, belonging to Tripoli, if the commander of any such ship or ships, vessel or vessels, shall produce a pass, signed by the chief governors of Tripoli, and a certificate from the English Consul

ful living there ; or if they have no such pass or certificate, yet if the major part of their ship's company or companies be Turks, Moors or Slaves belonging to Tripoli, then the said Tripoli ship or ships, vessel or vessels, shall proceed freely.

V. That no commander, or other person, of any ship or vessel of Tripoli, shall take out of any ship or vessel of his said Majesty's subjects, any person or persons whatsoever, to carry them any where to be examined, or upon any other pretence, nor shall use any torture or violence unto any person of what nation or quality soever, being on board any ship or vessel of his Majesty's subjects, upon any pretence whatsoever.

VI. That no shipwreck belonging to the said King of Great-Britain, or to any of his Majesty's subjects, upon any part of the coasts belonging to Tripoli, shall be made or become prize ; and that neither the goods thereof shall be seized, nor the men made slaves ; but that all the subjects of Tripoli shall do their best endeavours to save the said men and their goods.

VII. That no ship, or any other vessel of Tripoli, shall have permission to be delivered up, or to go to any other place in enmity with the said King of Great-Britain, to be made use of as Corsairs at sea against his said Majesty's subjects.

VIII. That if any ship or vessel of Tunis, Algier, Tettuan, or Sally, or any other place, being in war with the said King of Great-Britain, bring any ships or vessels, men or goods, belonging to his said Majesty's subjects, to Tripoli, or to any port or place in that kingdom, the governors there shall not permit them to be sold within the territories of Tripoli, like as it agreed at Algiers.

IX. That if any subject of the King of Great-Britain happens to die in Tripoli, or its territories, his goods or money shall not be seized by the governors, or any ministers of Tripoli, but shall all remain with the English Consul.

X. That neither the English Consul, nor any other subject of the said King of Great-Britain, shall be bound to pay the debts of any other of his Majesty's subjects, unless they become surety for the same by a publick act.

XI. That

XI. That the subjects of his said Majesty in Tripoli, or its territories, in matter of controversy, shall be liable to no other jurisdiction but that of the Dey or Divan, except they happen to be at difference between themselves, in which case they shall be liable to no other determination but that of the Consul only.

XII. That in case any subject of his Majesty, being in any part of the kingdom of Tripoli, happen to strike, kill, or wound a Turk or Moor, if he be taken, he is to be punished in the same manner, and with no greater severity than a Turk ought to be, being guilty of the same offence; but if he escape, neither the said English Consul, nor any other of his said Majesty's subjects, shall be in any sort questioned or troubled upon that account, and no tryal or sentence to be passed without the Consul being present.

XIII. That the English Consul now, or at any time hereafter, living at Tripoli, shall be there at all times with entire freedom and safety of his person and estate, and shall be permitted to choose his own druggerman and broker, and freely to go on board any ship in the road, as often and when he pleases, and to have the liberty of the country; and that he shall be allowed a place to pray in; and that no man shall do him any injury, either in word or deed; and that he shall have liberty at all times of hoisting his Majesty's flag at the top of his house, and on his boat, when he passes on the water.

XIV. That not only during the continuance of this peace and friendship, but likewise if any breach or war happen to be hereafter, between the said King of Great-Britain, and the city and kingdom of Tripoli, the said Consul, and all other his Majesty's subjects, inhabiting in the kingdom of Tripoli, shall always, and at all times, both of peace and war, have full and absolute liberty to depart, and go to their own country, or any other, upon any ship or vessel, of what nation soever they shall think fit, and to carry with them all their estates, goods, families and servants, although born in the country, without any interruption or hindrance.

XV. That no subject of his said Majesty, being a passenger from or to any port, shall be any way molested or meddled with, either in person or property, although on board

board any ship or vessel in enmity with Tripoli; and the same is to be regarded in favour of the subjects of Tripoli.

XVI. That when any of his Majesty's ships of war shall appear before Tripoli, upon notice thereof given by the English Consul, or by the commander of the said ships, to the chief governors of Tripoli, publick proclamation shall be immediately made to secure the Christian captives; and if after that, any Christians whatsoever make their escape on board any of the said ships of war, they shall not be required back again, nor shall the said Consul or commander, or any other his Majesty's subjects, be obliged to pay any thing for the said Christians:

XVII. That all merchant ships coming to the city or kingdom of Tripoli, though not belonging to Great-Britain; shall have free liberty to put themselves under the protection of the British Consul, in selling and disposing of their goods and merchandize, if they shall think proper, without any hindrance or molestation:

XVIII. That at all times when any ship of war of the King of Great-Britain, &c. carrying his said Majesty's flag, appears before the said city of Tripoli, and comes to an anchor in the road, immediately after notice thereof given by his said Majesty's Consul, or officer from the ship, unto the Dey and government of Tripoli, they shall; in honour to his Majesty, cause a salute of twenty-seven cannon to be fired from the castle and forts of the city, and that the said ship shall return an answer by firing the same number of cannon:

XIX. That no subject of the King of Great-Britain shall be permitted to turn Turk or Moor in the city and kingdom of Tripoli, (being induced thereunto by any surprize whatsoever) unless he voluntarily appear before the Dey or Governor, with the English Consul's druggerman, three times in three days, and each day declare his resolution to turn Turk or Moor.

XX. Whereas it is customary for the European Consuls to pay their respects to the Bashaw at the feasts of Ramadan and Birham, it is hereby declared, That his Britannick Majesty's Consul shall be admitted first to audience, and take the precedency of all other Consuls, in consideration

ration of the English being the oldest friends to the State of Tripoli.

XXI. That whereas the island of Minorca in the Mediterranean sea, and the city of Gibraltar in Spain, do now belong to his Majesty the King of Great-Britain; it is therefore hereby agreed, That from this time forward, for ever, the said island of Minorca, and city of Gibraltar, shall be esteemed, in every respect, by the Bashaw and government of Tripoli, to be part of his Britannick Majesty's own dominions, and the inhabitants thereof shall be looked upon as his Majesty's natural subjects, in the same manner as if they had been born in any part of Great-Britain; and they, with their ships and vessels wearing British colours, and being furnished with Mediterranean passes, shall be permitted freely to trade and traffick in any part of the kingdom of Tripoli, or dominions thereunto belonging, and shall pass without any molestation whatsoever, either on the seas or elsewhere, in the same manner, and with the same freedom and privileges, as have been stipulated in this and all former treaties, in behalf of the British nation and subjects; and that none of the ships or vessels belonging to Tripoli, shall cruize or look for prizes, before, or in sight of the ports of the island of Minorca, and the city of Gibraltar, to disturb or molest the trade thereof in any manner whatsoever.

XXII. That if any of the ships of war of the said King of Great-Britain come to Tripoli, or to any other port or place of that kingdom, with any prize, they may freely sell it, or otherwise dispose of it, at their own pleasure, without being molested by any; and that his Majesty's said ships of war shall not be obliged to pay customs in any sort; and that if they shall want provisions, victuals, or any other things, they may freely buy them at the rates in the market.

XXIII. That whensoever it shall happen hereafter, that any thing is done or committed, by the ships or subjects of either side, contrary to any of these articles, satisfaction being demanded therefore, the same shall be made to the full, and without any manner of delay; and it shall not be lawful to break this peace, until such satisfaction be denied;

denied; and whosoever shall be the cause of breaking this peace, shall assuredly be punished with present death.

XXIV. That his Britannick Majesty's subjects (over and above the stipulations contained in this and all former treaties) shall enjoy all the privileges and advantages; which now are, or which hereafter may be, granted to any of the subjects of the most favoured nation.

XXV. That in case any of his said Majesty's subjects shall import into the said kingdom of Tripoli, or into any of the ports or dominions thereunto belonging, any warlike stores, as cannons, muskets, pistols, cannon powder, or fine powder, brimstone, bullets, iron, planks, and all sorts of timber fit for building of ships, pitch, tar; rosin, ropes, cables, masts, blocks, anchors, sails, and all other habiliments of war, as well by sea as by land; as also provisions; viz. wheat, barley, beans, oats, or the like, they shall not pay any sort of duty or custom whatsoever.

XXVI. That new Mediterranean passes shall be issued out and given to his said Majesty's trading subjects, with all convenient speed, and that the time for the continuance of the old passes, for the ships in the Indies and remote parts, shall be three years; and for all other ships and vessels, one year; to commence from the delivery of the counter-tops of the new passes at Algiers; of which his Majesty's Consul here, shall give the earliest notice to the Bashaw and government; and it is hereby expressly agreed and declared, that the said new passes shall, during the above-mentioned spaces of time of three years and one year, be of full and sufficient force and effect to protect all ships and vessels of his said Majesty's subjects, who shall be provided with the same.

XXVII. That no merchant ship belonging to Great-Britain, or any other nation under the protection of the British Consul, being in the port of Tripoli, shall be detained from proceeding to sea on her voyage, longer than eight days, under the pretence of arming out the ships of war of the government, or any other whatsoever.

XXVIII. That if at any time the garrisons of Gibraltar or Port-Mahon should be in want of provisions, and should send for the same to Tripoli, or any part of
the

the dominions thereof, they shall, if it is to be had, be supplied with it at the market-price.

XXIX. That all packets, bearing his Britannick Majesty's commission, which shall be met by any of the cruizers of Tripoli, shall be treated with the same respect as his Majesty's ships of war; and all due respect shall be paid to his Majesty's commission; and both at meeting and parting; they shall be treated as friends; and if any of the Tripoli cruizers commit the least fault or violence against them, the captains or raizes, so offending; shall, on their arrival at Tripoli, and proper complaint being made of them, be most severely punished; without admitting of their excuses.

XXX. That all and every the articles in this treaty shall be inviolably kept and observed between his most sacred Majesty of Great-Britain, and the most illustrious the Bashaw, Lord and Governours of the city and kingdom of Tripoli, and between the dominions and subjects of either side; and our faith shall be our faith, and our word our word. Dated in the presence of Almighty God, in the city of Tripoli, this nineteenth day of September, One thousand seven hundred and fifty one, according to the Christian computation, and of the Turkish Hageira, One thousand one hundred and sixty four, the twenty ninth day of the moon Shawan.

A. KEPPEL.
ROBERT WHITE.

DIVAN:
KIAJA:
BEY.
BASHAW.

Treaty of peace and commerce, between the most serene and mighty Prince GEORGE the Second, by the Grace of God, of Great-Britain, France, and Ireland, King, Defender of the Christian Faith, Duke of Brunswick and Lunenburgh, Arch-Treasurer and Elector of the Holy Roman Empire, &c. &c. &c. &c. And the most excellent and illustrious Lord Ali Pascha, Begler Bey and supreme Commander of the State of Tunis, renewed, agreed on, and confirmed, by the honourable Augustus Keppel, Commander in chief of his Britannick Majesty's ships and vessels in and about the Mediterranean seas, and Charles Gordon, Esq; his said Serene Majesty's agent and Consul general to the State of Tunis, furnished with his Majesty's full powers for that purpose.

Article I.

THAT all former grievances and losses, and other pretences between both parties, shall be void and of no effect; and from henceforward there shall be a firm peace for ever, and free trade and commerce, between his Britannick Majesty's subjects, and the people of the kingdom of Tunis, and dominions thereunto belonging: But this article shall not cancel or make void any just debt, either in commerce or otherwise, between the subjects on both sides, but the same may be demanded and recovered as before.

II. That the ships of either party shall have a free liberty to enter into any port or river belonging to the dominions of the other, where they shall pay duty only for what they sell, and, for the rest, may freely export it again without molestation; and shall enjoy all other accustomed privileges: And the late exaction that hath been at the Goletta and the Marine, shall be reduced to the ancient customs in those cases.

III. That there shall not be any seizure made of any of the ships of either party, either at sea or in port, but they shall pass without any interruption, they displaying their colours; and to prevent any misunderstandings, the ships of Tunis shall be furnished with certificates, under the
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hand and seal of the British consul, of their belonging to Tunis, which they are to produce on meeting any English ship, on board of whom they shall have liberty of sending two men only, peaceably to satisfy themselves of their being English, who, as well as any passengers of other nations they may have on board, shall go free, both them and their goods.

IV. That if an English ship receive on board any goods or passengers belonging to the kingdom of Tunis; they shall be bound to defend them and their goods, so far as lyeth in their power, and not deliver them unto their enemies; and the better to prevent any unjust demands being made upon the crown of Great-Britain, and to avoid disputes and differences that might arise, all goods and merchandize that shall from henceforward be shipp'd by the subjects of Tunis, either in this port, or in any other whatsoever, on board the ships or vessels belonging to Great-Britain, shall be first entered in the office of Cancellaria, before the British Consul residing at the respective port; expressing the quantity, quality, and value of the goods so shipp'd, which the said Consul is to manifest in the clearance given to the said ship or vessel before she departs; to the end that if any cause of complaint should happen hereafter, there may be no greater claim made on the British nation, than by this method shall be proved to be just and equitable.

V. That if any of the ships of either party shall, by accident of foul weather, or otherwise, be cast away upon any of the coasts belonging to the other, the persons shall be free, and the goods saved and delivered to the proprietors thereof.

VI. That the English which do at present, or shall at any time hereafter, inhabit in the city or kingdom of Tunis, shall have free liberty, when they please, to transport themselves, with their families and children, although born in the country.

VII. That the people belonging to the dominion of either party, shall not be abused with ill language, or otherwise ill treated, but the parties so offending, shall be punished severely according to their deserts.

VIII. That the Consul or any other of the English nation residing in Tunis, shall not be obliged to make their addresses, in any difference, unto any court of justice, but to the Bashaw himself, from whom only they shall receive judgment, in case the difference should happen between a subject of Great-Britain and another of this government, or any other foreign nation ; but if it should be between two of his Britannick Majesty's subjects, then it is to be decided by the British Consul only.

IX. That neither the English Consul, nor any other of his Majesty's subjects, shall be liable to pay the debts of any other of the nation, unless particularly bound thereto under his own hand.

X. That whereas the island of Minorca in the Mediterranean sea, and the city of Gibraltar in Spain, do now belong to his Majesty the King of Great-Britain ; it is hereby agreed and fully concluded, That from this time forward, for ever, the said island of Minorca, shall be esteemed, (as likewise Gibraltar) by the government of Tunis, to be, in every respect, part of his Britannick Majesty's dominions, and the inhabitants thereof shall be looked upon as his Majesty's natural born subjects, in the same manner as if they had been born in any other part of Great-Britain ; and they, with their ships and vessels wearing British colours, shall be permitted freely to trade and traffick in any part of the kingdom of Tunis, and shall pass, without any molestation whatsoever, either on the seas or elsewhere, in the same manner, and with the same freedom and privileges, that have been stipulated in this and all former treaties, in behalf of the British nation and subjects.

XI. That the better and more firmly to maintain the good correspondence and friendship that have been so long and happily established between the crown of Great-Britain and the government of Tunis, it is hereby agreed and concluded by the parties before-mentioned, that none of the ships and vessels belonging to Tunis, or the dominions thereof, shall be permitted to cruize or look for prizes, of any nature whatsoever, before, or in sight of the aforesaid city of Gibraltar, or any of the ports in the
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island of Minorca, to hinder or molest any vessels bringing provisions and refreshments for his Britannick Majesty's troops and garrisons in those places, or to give any disturbance to the trade and commerce thereof: And if any prize shall be taken by the ships or vessels of Tunis, within the space of ten miles of the aforesaid places, she shall be restored without any contradiction.

XII. That all the ships of war belonging to the dominions of either party, shall have freely liberty to use each other's ports, for washing, cleaning and repairing any their defects, and to buy and ship off any sort of victuals, alive or dead, or any other necessaries, at the price the natives buy at in the market, without paying custom to any officer. And whereas his Britannick Majesty's ships of war do frequently assemble and harbour in the port of Mahon in the island of Minorca; if, at any time, they, or his Majesty's troops in garrison there, should be in want of provisions, and should send from thence to purchase supplies in any part of the dominions belonging to Tunis, they shall be permitted to buy cattle alive or dead, and all other kinds of provision, at the prices they are sold in the market, and shall be suffered to carry it off without paying duty to any officer, in the same manner, as if his Majesty's ships were themselves in the port.

XIII. That in case any ships of war belonging to the dominions of Tunis, shall take, in any of their enemies ships, any Englishmen serving for wages, they are to be made slaves; but if merchants or passengers, they are to enjoy their liberty and goods free.

XIV. That if any slave of Tunis should make his escape from thence, and get on board an English man of war, the said slave be free, and neither the English Consul, nor any of his nation, shall in any manner be questioned about the same.

XV. That the better to prevent any disputes that may hereafter arise between the two parties about salutes and publick ceremonies, it is hereby agreed and concluded, that whenever any flag officer of Great-Britain, shall arrive in the Bay of Tunis, in any of his Majesty's ships of war, there shall be shot off from the castles of the Goletta, or other the nearest fortification belonging to Tunis,

a number of guns according to custom, as a royal salute to his British Majesty's colours, and the same number shall be returned in answer thereto by his Majesty's ships; and it is hereby stipulated and agreed, that all ceremonies of honour shall be allowed to the British Consul who resides here, to represent equal in every respect his Majesty's person, to any other nation whatsoever, and no other Consul in the kingdom to be admitted before him in precedency.

XVI. That the subjects of his most sacred Majesty of Great-Britain, &c. either residing in, or trading to the dominions of Tunis, shall not, for the time to come, pay any more than three per cent. custom, on the value of the goods or merchandize which they shall either bring into or carry out of the kingdom of Tunis.

XVII. It is moreover agreed, concluded and established, that at whatsoever time it shall please the government of Tunis, to reduce the customs of the French nation to less than they pay at present, it shall always be observed, that the British customs shall be two per cent. less than any agreement that shall for the future be made with the said French, or that shall be paid by the subjects of France.

XVIII. It is moreover agreed, concluded and established, That in case any British ship or ships, or any of the subjects of his Majesty of Great-Britain, shall import at the port of Tunis, or any port of this kingdom, any warlike stores, as cannons, muskets, pistols, cannon powder, or fine powder, bullets, masts, anchors, cables, pitch, tar, or the like; as also provisions, viz. wheat, barley, beans, oats, oil, or the like, for the said kind of merchandize they shall not pay any sort of duty or custom whatever.

XIX. That in case a war should happen between his Britannick Majesty and any other state or nation whatever, the ships of Tunis shall not in any sort afford assistance to the enemies of his Majesty or his subjects.

XX. That if an Englishman kills a Turk, he shall be judged before the Caddi of the place, according to justice: If he is found guilty of the crime, he shall be punished with death; but if he escape, the Consul shall not be molested, or called upon for that account; and the Consul shall

shall always have timely notice, that he may have an opportunity of being present at the tryal.

XXI. That if at any time a war or rupture happen between the two contracting powers, the English Consul and his nation may freely depart with all their goods and effects: And this article is to be reciprocal for the subjects of Tunis.

XXII. That whereas Gibraltar and the island of Minorca do belong to his Britannick Majesty, if at any time any of the cruizers of Tunis should meet with any vessels of the said places, under English colours, furnished with proper passports, they shall be treated in all respects like other English ships, provided that there be no more than one third part of the ship's company who are not subjects of his said Majesty, for, in such case, they (the said strangers) shall be deemed as prisoners: But it is allowed to embark as many merchants or passengers as they see good, be they of what nation soever: And if at any time a Tunis man of war shall take a ship from their enemies, on board of which may happen to be any English subjects, they shall be immediately released, with all their goods and merchandize, provided always, that they be provided with proper passports; and this article is to be observed reciprocally on the parts of the English.

XXIII. That if any British ships or vessels meet with any of the ships or vessels belonging to the state of Tunis, and there should be any injury or offence given by either side, justice being properly demanded, shall be immediately done, and the aggressor shall be severely punished, without it occasioning any breach of war.

XXIV. That his Britannick Majesty's subjects shall be always treated, by the state of Tunis, with the highest degree of respect, love and honour, because the English, of all other powers, are their first and best friends.

XV. That new Mediterranean passes shall be issued out and given to his said Majesty's trading subjects, with all convenient speed, and that the time for the continuance of the old passes, for the ships in the Indies and remote parts, shall be three years; and for all other ships and vessels, one year; to commence from the delivery of the counter-tops of the new passes at Algiers; of which his

Majesty's Consul here, shall give the earliest notice to this state; and it is hereby expressly agreed and declared, that the said new passes shall, during the above-mentioned spaces of time of three years and one year, be of full and sufficient force and effect to protect all ships and vessels of his said Majesty's subjects, who shall be provided with the same.

XXVI. That all packets bearing his Britannick Majesty's commission, which shall be met by any of the cruizers of Tunis, shall be treated with the same respect as his Majesty's ships of war; and all due respect shall be paid to his Majesty's commission, and both at meeting and parting they shall be treated as friends; and if any of the cruizers of Tunis commit the least fault or violence against them, the captains or raizes so offending, shall, on their arrival at Tunis, and proper complaint being made of them, be most severely punished, without admitting of their excuses.

All the preceding articles of this treaty, having been approved of and agreed to, are hereby ratified, renewed and confirmed, between his most sacred Majesty the King of Great-Britain, &c. and the most illustrious Lord Ali Pasha, Begler Bey and supreme Commander of the State of Tunis, which let no one presume to infringe or violate. Dated in the presence of Almighty God, at the Palace of Bardo near Tunis, this nineteenth day of October, One thousand seven hundred and fifty-one, according to the Christian computation; and of the Turkish Hageira, One thousand one hundred and sixty-four, the tenth day of the Moon Zil Hadgi Sheriffay.

A. K E P P E L. (L. S.)
C H A S. G O R D O N. (L. S.)

A D D I T I O N A L A R T I C L E

To the antient Treaties subsisting between his Britannick Majesty and the Dey and Government of Algiers, agreed to by the present Dey, Mahomet, and his said Majesty's Plenipotentiaries, the Honourable Augustus Keppel, and Ambrose Stanyford, Esq; his Majesty's Agent and Consul General at Algier,

THAT all packets or express-boats, bearing his Britannick Majesty's commission, which shall be met by any of the cruizers of Algiers, shall be treated with the same respect as his Majesty's ships of war, and all due respect shall be paid to his Majesty's commission; and both at meeting and parting they shall be treated as friends: And if any of the Algerine cruizers commit the least fault or violence against them, the captains or raizes so offending shall, on their arrival at Algiers, and proper complaint being made of them, be most severely punished, without admitting of their excuses. Dated at Algiers the third day of June, 1751, and in the year of Hageira, 1164, the twentieth day of the Moon Regil.

Treaty between his Britannick Majesty, and her Imperial Majesty of all the Ruffias. Signed at St. Peteriburg, September $\frac{12}{30}$, 1755. Together with the two separate and secret Articles belonging thereto.

In the name of the Holy and Undivided Trinity.

WH E R E A S the sincere and intimate friendship, which unites his Britannick Majesty and her Imperial Majesty of all the Ruffias, as well as the engagements which they contracted by the treaty of defensive alliance of the year 1742, oblige them, at all times, to be watchful of the publick tranquillity, and their reciprocal security: And whereas, in the present conjuncture of affairs, the preservation of the general peace, and the defence of their respective dominions, rights and subjects, have appeared to them necessarily to require, that they should be guarded
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against the attacks, with which they may be threatened on the part of any power whatever, by securing a body of troops capable of making a powerful diversion, in case of such attacks: And whereas, considering the present situation, the contingents of the succours, stipulated by the above-mentioned treaty, would not be sufficient for all the aforesaid objects: His Britannick Majesty and her Imperial Majesty of all the Russias, have thought proper to concert, before-hand, the further measures of precaution, which the general tranquility, and their common interests and security, seem to demand; and for this purpose, they have authorized their respective ministers; that is to say, his Majesty the King of Great-Britain, Sir Charles Hanbury Williams, Knight of the most honourable order of the Bath, one of the members of the parliament of Great-Britain, and his Ambassador at the court of the Empress of all the Russias; and her Imperial Majesty of all the Russias, her Chancellor, actual Privy-Counsellor, Senator, and Knight of the orders of St. Andrew, of the White Eagle, and of St. Alexander Newsky, Alexis Count de Bestoucheff Rumin; and her Vice-Chancellor, actual Privy-Counsellor, Lieutenant of the company of the body-guards, actual Chamberlain, and Knight of the orders of St. Andrew, of the White Eagle, of the Black Eagle, of St. Alexander Newsky, and of St. Anne, Michael Count de Woronzow; who, having communicated to each other their respective full powers, and having conferred together, have agreed on the following articles.

I. The high contracting parties renew expressly, by this convention, the treaty of defensive alliance, concluded between them, the 11th of December, 1742, at Moscow, in all its articles; and confirm the stipulations of the succours to be given reciprocally, as they are contained in the IVth article of the said treaty; which succours shall be furnished, on each side, in the manner and on the conditions therein expressed.

II. Whereas it is declared by the XVIIth article of the above-mentioned alliance; “That if the succours therein stipulated should not be sufficient, the contracting parties shall then agree, without delay, on the farther succours to be given;” and as that would not answer the

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ends proposed, and there may happen cases, which may not allow them time to agree thereupon; in order to obviate the inconveniences which would necessarily result from such a delay, they have agreed to settle from henceforth, and at all events, the means of their defence. With this view, her Imperial Majesty of all the Russias has not only caused to march towards the frontiers of Livonia, adjoining to Lithuania, but engages also, to hold there, as long as this convention shall subsist, as near to those frontiers as the quarters will permit, a body of her troops, amounting to 55,000 men; that is to say, 40,000 infantry of her regular troops, furnished with the necessary artillery, and 15,000 cavalry, composed of three regiments of Cuirassiers, of twenty companies of Horse Grenadiers, of two regiments of Hussars, and the remainder of Light troops, to wit, of Cossacks and Calmucks, each with two horses, as many as shall be wanting to compleat these 15,000 cavalry; so that the whole infantry and cavalry shall form a compleat body of 55,000 men.

III. Her Imperial Majesty engages, moreover, to cause to be held in readiness, during the time above specified, on the coasts of the above-mentioned province, 40 or 50 galleys, with the necessary crews, in condition to act on the first order.

IV. The body of troops and the galleys, mentioned in the two preceding articles, shall not be put in activity, but in case his Britannick Majesty, or any of his allies, should be attacked; and, in that case, the general commander in chief of the said corps, who, for this purpose, shall be furnished before-hand with the orders of her Imperial Majesty of all the Russias, shall march as soon as he shall receive the requisition on the part of his Britannick Majesty; and shall make, as soon as possible, a diversion with a body of 30,000 infantry, provided with the necessary artillery, and with all the 15,000 cavalry, above-mentioned; and shall embark at the same time the other 10,000 infantry, on board the 40 or 50 galleys, in order to make a descent, according to the exigence of the case, and the utility of the service.

V. In case the dominions of his Britannick Majesty in Germany, should be invaded on account of interests or disputes

disputes which regard his kingdoms; her Imperial Majesty declares, that she will look upon such an invasion, as a case of the above-said alliance of 1742, and that the said dominions shall be therein comprized in this respect.

VI. In consideration of so important an augmentation of the succour stipulated by the treaty of defensive alliance above-mentioned, as also of all the other extraordinary expences, which the march and maintenance of troops in Livonia, with the artillery and its appurtenances, as well as the preparations of galleys may have cost, or shall still cost; his Britannick Majesty promises and engages to cause to be paid to her Imperial Majesty of all the Russias, the sum of 500,000 pounds sterling per annum, to be reckoned from the day when the body of her troops shall have passed the frontiers of her dominions, in consequence of the requisition made by his Majesty the King of Great-Britain; this sum shall be paid by Baron Wolff, resident of Great-Britain, in the place where it shall be demanded, at the rate of 10 florins and 15 stivers, current money of Holland, for every pound sterling, and always four months in advance; and the first payment thereof shall be made the day that this body shall go out of the dominions of her Imperial Majesty.

VII. Whereas her Imperial Majesty of all the Russias is particularly interested in the preservation of the tranquility of the north, and that no innovation should happen in the neighbourhood of her dominions; considering also the proximity of the countries, wherein the diversion in question will probably be made, and the facility her troops will have of subsisting immediately in an enemy's country; she takes upon herself alone, during such a diversion, the subsistence and treatment of the said troops, by sea and land, as also the heavy artillery, which they may have occasion for, and of the details thereto belonging.

VIII. Her Imperial Majesty engages to continue the diversion to be made, and not to recal her troops, even though she should be attacked by any other power. On the other hand, his Britannick Majesty promises, that, in case her Majesty the Empress should be disturbed in the said diversion, or should be attacked herself; his Britannick Majesty will furnish immediately the succour stipulated by the treaty of 1742.

IX. In case, that, contrary to all expectation, a war should break out, his Britannick Majesty engages to send into the Baltic Sea a squadron of his ships, of a force suitable to the circumstances; and the Admiral of this squadron shall act in concert with the Imperial Russian army, as long as they shall be within reach of each other.

X. For the conveniency and readiness of correspondence, his Britannick Majesty shall keep, with the auxiliary body, (which shall be commanded solely by the General, whom her Majesty the Empress shall put at their head, to whom also the person who shall command the galleys, is to be subject) a commissary, who, as well as the Admiral of the British squadron, in case there should be one, shall always be invited and admitted to the general councils of war; and shall have, moreover, communication of every thing, which may concern the common service.

XI. All the plunder which the Russian troops shall gain from the enemy, of what nature and quality soever, shall be for the advantage of those same troops.

XII. In case these auxiliary troops should be obliged to pass, in their march, the territories of the Republick of Poland, his Britannick Majesty takes upon himself the care of obtaining from his Polish Majesty, and the Republick of Poland, free passage through the said territories.

XIII. This convention shall subsist for the space of four years, to be reckoned from the day when the ratifications of it shall be exchanged.

XIV. In case peace should be made, or the object of the diversion to be made should cease to exist, before the expiration of the four years above-mentioned; the above-said auxiliary body shall return also, before that time, into the dominions of her Imperial Majesty; and his Britannick Majesty consents, that, after the return, the said body shall enjoy three months of the succour agreed on. But, in case peace should not be made before that term, then the contracting parties shall agree further upon the prolongation of this convention.

XV. The present convention shall be ratified, and the letters of ratification shall be exchanged at St. Petersburg within the term of two months, or sooner if that can be done.

In witness, whereof, we the under-written ministers, have made two copies of this convention, of the same tenor, the which, by virtue of our full powers, we have signed, and thereto put the seals of our arms. Done at St. Petersburg, this $\frac{1}{30}$ of September, in the year 1755.

<i>C. Hanbury Williams,</i>	(L. S.)
<i>Alexij, Comte de Bestoucheff Rumin,</i>	(L. S.)
<i>Mickel, Comte de Woronzow,</i>	(L. S.)

First Separate and Secret Article.

WHEREAS her Imperial Majesty of all the Russias has caused to be represented to his Britannick Majesty, that the march of the troops, as well infantry as cavalry, stipulated in the treaty signed this day, towards the frontiers of Livonia, as also the artillery, with what belongs thereto, with which her Imperial Majesty has charged herself; and the expence required to maintain them there during four years, as well as the necessary preparations for keeping in readiness the galleys during the said term, have already cost, and must still cost great sums of money, over and above what would otherwise have been necessary for the ordinary service of these troops: In consideration of what is above, and of the great utility which the remaining of such a body of troops in the above-mentioned-province during the term of four years, will be of; and the better to enable her Imperial Majesty to supply the expence thereof; his Britannick Majesty has been pleased to engage himself by this article, to furnish a succour of 100,000 pounds sterling per annum, payable each year in advance, to be reckoned from the day of the exchange of the ratifications to the day, that, on the requisition of his Britannick Majesty, this body of Russian troops shall go out of her Imperial Majesty's dominions; for, from that day, the abovesaid succour of 100,000 pounds sterling is entirely to cease, because the payment of the sum of 500,000 pounds sterling per annum, which has been agreed upon, by the Vth article of the treaty, must commence and be substituted in the room of it; so that, whatever shall then

be found paid in advance at the rate of the abovesaid 100,000 pounds sterling per ann. shall be discounted and deducted from the payment of the 500,000 pounds sterling. It being to be understood, that his Britannick Majesty should be at liberty to send once every year, into the said province of Livonia, a commissary, to see and examine the number and condition of the said troops. Moreover, what is stipulated in the VIth article of the treaty signed this day, with regard to the manner of paying the succour in money, is expressly confirmed by this present article.

This separate and secret article shall be of the same force and vigour, as if it was inserted word for word in the treaty signed this day; and shall be approved and ratified in like manner; and the ratification thereof shall be exchanged at the same time, and at the same place, as the principal treaty.

In witness whereof, we the underwritten Plenipotentiary Ministers have signed the present article, and put the seals of our arms thereto. Done at St. Petersburg this $\frac{1}{3}^o$ of September, 1755.

<i>C. Hanbury Williams,</i>	(L. S.)
<i>Alexij, Comte de Bestoucheff Rumin,</i>	(L. S.)
<i>Michel, Comte de Woronzow,</i>	(L. S.)

Second separate and secret Article.

WHEREAS her Imperial Majesty of all the Russias has engaged herself, by the treaty signed this day, to furnish to his Majesty the King of Great-Britain so considerable a succour, and will consequently take a great share in the war, if one should happen; the two high contracting parties engage themselves mutually to communicate to each other confidentially, every thing that may relate to any negociation with the common enemy; and shall employ, in concert, all their efforts, to procure themselves a peace on honourable and advantageous conditions for their reciprocal interests.

This separate and secret article shall be of the same force and vigour, as if it was inserted word for word in the
treaty

treaty signed this day; and shall be approved and ratified in like manner; and the ratification thereof shall be exchanged at the same time, and at the same place, as the principal treaty.

In witness whereof, we the underwritten Plenipotentiary Ministers have signed the present article, and put the seals of our arms thereto. Done at St. Petersburg this $\frac{1}{3}^o$ of September, 1755.

C. Hanbury Williams, (L. S.)

Alexij, Comte de Bestoucheff Rûmin; (L. S.)

Michel, Comte de Woronzow; (L. S.)

Treaty between his Britannick Majesty and her Imperial Majesty of all the Russias. Together with the four separate Articles belonging thereto. Signed at Moscow, December 11, 1742.

In the Name of the most Holy Trinity.

WHEREAS the most serene, most high, and most potent Prince and Lord, George the Second, King of Great-Britain, France and Ireland, Duke of Brunswick and Lünenburg, Elector and Arch-Treasurer of the Roman Empire, &c. And the most serene, most high, and most potent Princess and Lady, Elizabeth Petrowna, Empress and sole Monarch of all the Russias, &c. (pleno titulo) have considered, how useful and salutary it might be to their respective states and subjects, and also how much it might contribute to the maintaining of the general tranquility of Europe, and of that of the north in particular, not only to cultivate by all manner of good offices; as they have done hitherto, a strict union between themselves, but also to extend the obligations of their friendship, and to render it more effectual, and more applicable to the cases that might happen, by providing for their reciprocal security by a treaty of defensive alliance: For this purpose, their said Majesties have thought proper, to name and authorize Ministers on the one part, and on the other; that is to say, his Majesty the King of Great-Britain has named for
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Plenipotentiary, on his part, Sir Cyrill Wich, Baronet, his Plenipotentiary Minister to her Imperial Majesty of all the Russias; and her Imperial Majesty of all the Russias has named, for Plenipotentiaries, on her part, the Vice Chancellor of the Empire, the actual Privy Counsellor, Senator, and Knight of the orders of St. Andrew, of the White Eagle, and of St. Alexander, Alexei Count de Bestoucheff Rumin, and the Privy Counsellor, and Knight of the order of St. Alexander, Charles de Brevern; who having conferred together, by virtue of their respective full powers, have agreed upon the following articles.

I. There shall be, for ever, between his Majesty the King of Great-Britain, and her Imperial Majesty of all the Russias, their heirs and successors, as also between their kingdoms, countries, states, people and subjects, every where, as well by sea, as by land, a faithful, firm, and perpetual friendship, alliance and union; and they shall on the one side, and on the other, be so far from doing any injury or damage to each other, that they shall exert themselves in promoting their mutual interests, and in maintaining each other, reciprocally, in the kingdoms, provinces, states, rights, commerce, immunities and prerogatives whatsoever, which they were possessed of before the year 1741, or which they may acquire by treaties.

II. For this purpose it is agreed, that, if, in times to come, their said Majesties, or either of them, should be attacked by sea or land, by whomsoever it be, they shall lend each other, immediately after requisition, the necessary succours; which shall be determined, as well with regard to the nature, as to the quantity, according to what is hereafter stipulated in the following articles of this treaty.

III. His Britannick Majesty, and her Imperial Majesty, do, from henceforth declare, that they do not mean, by making this alliance, to offend or injure any one soever; but that it is, on the contrary, their only aim and design to provide, by these engagements, for their reciprocal advantage and security; and to contribute, as much as it shall depend on their care, to the preservation of the general peace of Europe, and of that of the north in particular; for which ends, they shall employ themselves in the most effectual manner possible; and shall mutually communicate to each other, their ideas and councils for that purpose.

IV. As the principal design and end of this alliance is, mutually to secure one another from all invasion, injury and damage; and as each of the high contracting parties desire nothing more ardently, than to be able always to fulfil this reciprocal engagement in the manner, which shall be most advantageous to their ally, according to the means which God has put into their hands, respectively; and as the natural strength of Great-Britain principally consists in ships of war, and that of Russia, in land forces; it is agreed, that, in case his Britannick Majesty should be attacked or disturbed in his kingdoms, provinces, states, or possessions, whatever, so as to find it necessary to require his ally's assistance; her Imperial Majesty of all the Russias will send him forthwith 10,000 infantry, and 2000 cavalry; which succours shall be continued to him, on the part of her Imperial Majesty, during the whole time, that the said attack or disturbance shall last; and, on the other hand, in case her Imperial Majesty of all the Russias should be attacked or disturbed in her kingdoms, provinces, states, or possessions whatever, so as to find it necessary to require her ally's assistance, his Britannick Majesty will send her forthwith a squadron of twelve men of war of the line, carrying 700 guns, according to the following list; two ships of 70 guns, making together 140 guns, and 960 men; six ships of 60 guns, making 360 guns, and 2400 men; four ships of 50 guns, making 200 guns, and 1200 men; in the whole 12 ships, 700 guns, and 4560 men. This squadron shall be duly fitted out, and armed for war. Which succour shall be, in like manner, continued to her, during the whole time the said attack or disturbance shall last.

V. But if the nature of the attack or invasion was such, that the party attacked, or invaded, should not find it suitable to demand the specifick succours stipulated in the preceding article, as not being proper for their defence; the said high contracting parties, in order to give each other, in every thing, proofs of their sincere and friendly intentions towards each other, have agreed, by this article, that the said case existing, they shall reciprocally succour each other, after requisition made, in the following manner; that is to say, if his Britannick Majesty should find himself attacked, her Imperial Majesty of all the Russias shall

shall cause the sum of 500,000 roubles a year to be paid to him, during the whole time, that attack or trouble, which shall have occasioned the said demand on the part of his Britannick Majesty, shall last, in order to enable him to support the expences of the war; and if it was her Imperial Majesty of all the Ruffias, who should be attacked, his Britannick Majesty shall furnish her the like sum of mōney yearly, as long as the attack or disturbance, which shall have occasioned this demand, shall last.

VI. In case the party required, after having furnished the assistance, stipulated by the fourth article of this treaty, should be attacked themselves, so that it should be necessary for them to recall their forces for their own security, they shall be at liberty to do it, two months after they shall have duly apprized the party requiring thereof: and it is likewise stipulated, that, in case the party required should, at the time of the requisition, find themselves involved in a war, so that it should be absolutely necessary to keep at home, for their own security and defence, such forces as they ought to furnish to their ally, by virtue of this treaty; when this case happens, the party required shall be dispensed with, for the time the said necessity shall last, from furnishing the above-mentioned succour.

VII. The auxiliary troops of Ruffia shall be provided with a field artillery of two three pounders for each battalion, and with warlike stores; and shall likewise be paid, replaced, and recruited by her Imperial Majesty of all the Ruffias: But his Britannick Majesty shall furnish them the portions, to wit, a pound of flesh per diem, bread, or, instead of it, sixty pounds of rye flour per month, a pound of salt, and four pounds of grots, per month, the weight reckoned upon the foot of Holland: and the rations of forage, oats, hay, &c. according to the Ruffian military establishment, and in Holland weight, as well as the necessary quarters; the whole upon the same foot, as those troops are used to be subsisted by her Imperial Majesty of all the Ruffias.

VIII. In case the said Ruffian auxiliary troops, being demanded by his Britannick Majesty, were to march by land; as it might be indispensible, for the said troops to pass through the dominions of some other powers, his

Britannick Majesty shall take care to procure a free passage for them, furnishing them with bread and forage, in the same manner, as is stipulated in the preceding article of this treaty: and when they shall have the sea to pass, his Britannick Majesty shall take upon himself, either to transport them in his own ships, or to furnish the expences of this transportation; which is likewise to be understood, as well with regard to the recruits, which her Imperial Majesty shall be obliged to send to the said troops, according to the preceding article, as with regard to the return of those Russian troops, upon their being either sent back by his Britannick Majesty, or recalled by her Imperial Majesty of all the Russias, for her own defence, according to the sixth article of this treaty. It is moreover stipulated, that when the aforesaid troops shall be either recalled or sent back, a sufficient convoy of men of war shall escort them for their security.

IX. When the said succours shall be respectively furnished, on the one side or the other, though each commanding officer, either of the squadron, which his Britannick Majesty is to furnish to Russia, or of the auxiliary troops of her Imperial Majesty of all the Russias, keeps the command he has been intrusted with; the general command shall indisputably belong to him, whom the party requiring shall name for that purpose; upon condition, that nothing of importance shall be undertaken, without its being previously examined, and resolved upon, in the council of war, and in the presence of the general and commanding officers of the party required.

X. And that there may be no difficulty or mistake, with regard to rank and character, the party requiring shall notify in time, what commander is to be employed for the command in chief, either of the fleet, or of the land-forces; to the end that the party required may settle and proportion the rank, and character of the person, who shall have the command of the auxiliary troops, or ships.

XI. The auxiliary forces shall have their own ministers or preachers, and the free exercise of religion; and shall not be tried upon whatever relates to the military service, but according to the laws, articles of war, and ordinances, of their own country. But if any disputes should arise between

tween the officers or foldiers of the combined forces, they fhall be examined and debated by commiffaries, in equal number; of both parties; and the offenders fhall be punifhed according to the articles of war of their fovereign: In like manner the general, as well as the reft of the auxiliary forces, fhall be allowed to carry on a free correſpondence; with their country, whether by letters or by expreffes.

XII: The auxiliary forces, on the one fide and on the other, fhall be kept together as far as that can be done; and in order that the ſaid reſpective auxiliary forces may not be expoſed to greater fatigues than the others, and that there may be an exact equality in all expeditions and operations; the general in chief fhall be obliged to obſerve a juſt proportion; in all the commands, according to the ſtrength of the whole fleet or army.

XIII: The ſquadron of ſhips, which his Britannick Maſteſty is to furniſh, by virtue of this alliance; fhall be admitted in all the ports of her Imperial Maſteſty of all the Ruſſias; where it fhall be treated in the moſt friendly manner; and provided with every thing; it may ſtand in need of, upon paying the ſame price, as is paid by the men of war of her Imperial Maſteſty of all the Ruſſias; and the ſaid ſquadron fhall be allowed to return, each year of the war, to the ports of Great-Britain, as ſoon as the ſeaſon will not permit them any longer to keep at ſea; provided it be expreſſly ſtipulated, that, whenever the caſe of this treaty ſhall exiſt; the ſquadron his Britannick Maſteſty is to furniſh ſhall arrive every year, in the Baltick, about the beginning of the month of May; and ſhall not leave that ſea, before the beginning of the month of Octobèr:

XIV. The party requiring, upon making the demand of the ſuccour ſtipulated by this treaty, fhall, at the ſame time, acquaint the party required, with the place where it is intended the ſaid ſuccour ſhould forthwith repair; and the ſaid party requiring, ſhall be at liberty to employ the aforeſaid ſuccour, during the whole time, it ſhall be continued to them, in ſuch manner; and ſuch places, as they ſhall judge moſt convenient for their ſervice, againſt the aggreſſor:

XV. It is agreed, that the case of this treaty of alliance shall not be extended to the wars, which may happen to arise between her Imperial Majesty of all the Russias, and the Ottoman Porte, or the Persians, Tartars, or other Eastern nations; his Britannick Majesty being to be dispensed with, in any one of these cases, from furnishing the succours stipulated by this treaty: as in like manner, on the other side, her Imperial Majesty of all the Russias, shall not be obliged to furnish the succours stipulated by this treaty, for the defence of his Britannick Majesty's possessions in America, or in any part whatsoever out of Europe.

XVI. It is also agreed, that, on account of the great distance of places, the troops which her Imperial Majesty of all the Russias shall be to furnish, by virtue of this alliance, for the defence of his Britannick Majesty, shall not be sent either into Spain, Portugal, or Italy.

XVII. If the succours, stipulated in the fourth article of this treaty, are not sufficient; then the contracting parties shall agree, without delay, about the farther succours, which they shall give each other.

XVIII. If it should happen, that they should be obliged to have recourse to force of arms, neither peace nor truce shall be made, without including therein such of the contracting parties, as shall not have been attacked; that they may suffer no damage, in resentment for the succours they shall have given to their ally.

XIX. The present defensive alliance shall be no obstacle to, nor in any wise derogate from, the treaties and alliances, which the contracting parties may have with other Kings, Princes, or States, in so far as the said treaties shall not be contrary to the present treaty, or to the friendship and good understanding, which shall always be strictly observed between them.

XX. Their said Majesties have, moreover, agreed, that they shall concert together, about the admission of such other powers, as might be disposed to enter into this alliance.

'XX'. The peace, friendship, and good understanding shall last for ever between the high contracting parties; but as it is usual to fix a certain time for treaties of formal alliance,

alliance, the said high contracting parties have agreed, that this one shall continue in force for the space of fifteen years, to be reckoned from the day of the signing of this treaty.

XXII. This present treaty of defensive alliance shall be approved and ratified by his Britannick Majesty, and by her Imperial Majesty of all the Russias; and the letters of ratification, in due form, shall be exchanged at St. Petersburg, within the space of two months, or sooner if possible. In testimony whereof the aforesaid Plenipotentiary Ministers, on both sides, have signed the present treaty of alliance, and have put the seals of their arms thereto.

Done at Moscow, the 11th of December, 1742.

(L. S.) *Cyrill Wich.*

Separate Article I.

IT is agreed, by this separate article, that the treaty of commerce and navigation, which was concluded on the fourth of December, 1734, between his Britannick Majesty, and her Imperial Majesty of all the Russias, shall be confirmed in all its points and articles, by the present alliance; and it is now agreed, that it shall remain in force, and shall be reciprocally observed, for the same time, as this alliance shall last, to be reckoned from the day of the signing of the treaty of this day. The present separate article shall have the same force and vigour, as if it was inserted in the treaty signed this day; and shall be approved and ratified in like manner; and the letters of ratification thereof shall be exchanged at the same time, and in the same place, as those of the treaty. In witness whereof, the Plenipotentiary Ministers, on both sides, have signed the present separate article, and have thereto put the seals of their arms.

Done at Moscow, the 11th of December, 1742.

(L. S.) *Cyrill Wich.*

Separate Article II.

HIS Britannick Majesty, and her Imperial Majesty of all the Russias, having, this day, concluded a treaty between themselves, the sole end and intention whereof is, to provide for their mutual defence, and to maintain, as far as shall depend upon their care, the public tranquillity, and that of the north in particular; and their Majesties having considered the strict friendship and alliance, which already subsists between each of them, and his Majesty the King of Poland, Elector of Saxony; of which they desire to straiten the bonds, still more and more, and their Majesties being at the same time assured, that his said Polish Majesty finds himself in the same disposition towards them, and that he will be ready to concur, on his part, in the salutary ends above-mentioned; they have agreed to invite his said Majesty immediately to enter, as Elector of Saxony, into the said treaty, or into such articles thereof as he shall declare to them, to be suitable to him with regard to his situation, and to the interests and forces of his hereditary countries, and upon which their Majesties shall concert together, and shall agree with his said Majesty the King of Poland; and it is further agreed, that, upon his said Polish Majesty's acceding; as is said above, in his quality of Elector, either to this whole treaty, or to such engagements thereof, as shall have been agreed upon with him; he shall be reputed and considered as one of the principal and contracting parties to the said treaty. This separate article shall have the same force and vigour, as if it was inserted in the treaty signed this day; and shall be approved and ratified in like manner; and the letters of ratification thereof shall be exchanged, at the same time, and in the same place, with those of the treaty. In witness whereof, the Plenipotentiary Ministers, on both sides, have signed the present separate article, and have thereto put the seals of their arms.

Done at Moscow, the 11th day of December, 1742.

(L. S.) *Cyrill Wick.*

Separate Article III.

WHEREAS in the treaty of this day, the high contracting parties have agreed to concert together about the admission of such other powers, as may be disposed to enter into this alliance; and whereas his Majesty the King of Poland, as Elector of Saxony, has, from the beginning, been comprehended therein, by a separate article, drawn up in concert, and agreeably to the desires of that prince. It is farther agreed, that, tho' the said contracting parties have reserved to themselves the admission of other powers to this treaty, conformably to what is stipulated upon that subject; the reciprocal intention is to comprehend therein, principally and from henceforth, his Majesty the King of Prussia, and the States-General of the United Provinces of the Low Countries, and to invite them thereto, in the same manner as his Majesty the King of Poland has been therein comprehended, in the full persuasion that those said powers find themselves sincerely disposed to concur in the end of this treaty, and in the maintenance of the publick tranquillity, and of that of the north in particular. This separate article shall have the same force and vigour, as if it was inserted in the treaty signed this day; and shall be approved and ratified in like manner; and the letters of ratification thereof shall be exchanged at the same time, and in the same place, as those of the treaty. In witness whereof, the Plenipotentiary Ministers, on both sides, have signed the present separate article, and have thereto put the seals of their arms.

Done at Moscow, the 11th of December, 1742.

(L. S.) *Cyrill Wich.*

Separate Article IV.

WHEREAS his Britannick Majesty is desirous of giving her Imperial Majesty of all the Russias a distinguished mark of his friendship and esteem, he has been pleased to yield to the instances, which have been made to him, on her part, and to acknowledge, by the present separate article, her quality of Empress, for her
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and her successors in the Imperial throne of Russia, and to give them the title thereof; on this express condition, nevertheless, that her Imperial Majesty of all the Russias and her successors, shall never, on account of this quality, and of this title, claim any prerogative or pre-eminence, in any manner whatever, and that this acknowledgment shall not, at any time, cause any sort of change in the ceremonial, which has been observed hitherto, with regard to the rank of the Ministers of their said Imperial and Britannick Majesties, or in any other manner whatsoever, either in their own courts, or in those, where they may, respectively, have Ministers. The present separate article shall have the same force and vigour, as if it had been inserted in the treaty signed this day; and shall be approved and ratified in like manner; and the letters of ratification thereof shall be exchanged at the same time, and in the same place, as those of the treaty. In witness whereof the Plenipotentiary Ministers of the high contracting parties have signed the present separate article, and have thereto put the seals of their arms.

Done at Moscow, the 11th of December, 1742.

(L. S.) *Cyrill Wich.*

Treaty between his Britannick Majesty, and the Landgrave of Hesse-Cassel. Signed at Hanover, June 18, 1755.

BE it known to all whom it may concern; That his Majesty the King of Great-Britain, and his most serene Highness the Landgrave of Hesse-Cassel, having called to mind the strict ties, which unite the interests of their respective Houses; and having judged, that, in the present situation of affairs, it would contribute to the reciprocal benefit of Great-Britain, and the States of Hesse, to strengthen and confirm, by a new treaty of defensive alliance, the union, which subsists between them; his Britannick Majesty, and his most Serene Highness the said Landgrave, have thought proper to direct for this purpose, their respective ministers; that is to say, his said Majesty, Robert Earl of Holderness, one of his principa
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Secretaries of state, and the most Serene Landgrave, his Major-general, General of the artillery, and Governor of the residence of Cassell, Commander of the Teutonick order, the Sieur Diedric Diede de Furstenstein, and the Sieur Justus Henry Alt, his Privy-Counsellor of legation, and Minister charged with his affairs, to enter into conference thereupon; who, after the exchange of their respective full powers, have agreed upon the points and articles following.

Article I.

There shall be, between his Majesty the King of Great-Britain, and his most Serene Highness the Landgrave of Hesse-Cassell, their successors and heirs, a strict friendship, and a sincere, firm, and lasting union; insomuch that the one shall consider the interests of the other, as his own; and shall apply himself sincerely to advance them to the utmost, and to prevent, and to avert, mutually, all trouble and damage.

II. To this end it is agreed, that all former treaties, principally of guaranty, be deemed to be renewed, and confirmed, by the present treaty, in all their points, articles and clauses, and shall be of the same force, as if they were inserted in this, word for word, so far as is not derogated from them by the present treaty.

III. His Majesty the King of Great-Britain having desired to secure, for his service, a body of the troops of the most Serene Landgrave, in case the good of his kingdoms and states should require this succour; his most Serene Highness has willingly complied with these views; promising and engaging, by virtue of this article, to hold in readiness for this service, during the space of four successive years, to be reckoned from the day of the signing of the present treaty, a body of eight thousand men; to wit, eight battalions of infantry, each of eight hundred men, including the officers; and three regiments of dragoons, or cavalry, making in all fourteen hundred horse; which corps shall be provided with the necessary, general, and subaltern officers: The Infantry shall be held in a condition to march, for the service of his Britannick Majesty, two months after the requisition shall have been made for that purpose, or sooner if possible, especially if it should be for
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the immediate defence of the kingdoms, or electoral dominions, of his Majesty, or of the Low-Countries; in which case the said Infantry shall march immediately after requisition made; which requisition, however, is not to be made separately for the infantry, but for the whole corps together; and as the most Serene Landgrave shall not be obliged to remount the cavalry or dragoons, before this requisition shall have been made to him, the term of six months has been agreed upon, at the end of which; the said cavalry or dragoons shall be in a condition to march likewise; and shall then forthwith join the Infantry; which compose this corps; which said corps shall not be separated, unless reasons of war require it, but shall always remain together, under the orders of the Hessian General, who shall command it; and the said troops shall take the oath of fidelity to his Britannick Majesty, immediately upon their being first mustered by an English commissary; without prejudice, nevertheless, to the oath, which they have taken to his most Serene Highness the Landgrave: His said Highness reserving, besides, the disposal of all employments, which shall come to be vacant therein; the administration of justice being also reserved to him:

IV. Each battalion of infantry of this corps; shall be provided with two pieces of field artillery, with the officers; gunners, and other persons, and the train, thereunto belonging.

V. Towards defraying the expences; to which the most Serene Landgrave will be engaged, to remount, and equip, the said corps of 8000 men, his Majesty the King of Great-Britain promises to pay, to his most Serene Highness; for every trooper or dragoon, duly armed and mounted, 80 crowns; and for every foot-soldier 30 crowns, Banco, in manner following; that is to say, the moiety of the levy money, for the infantry, and artillery, amounting to ninety-nine thousand crowns, Banco, shall be paid at the exchange of the ratifications; and the remainder for the infantry and artillery, when they shall march: And with regard to the cavalry, one moiety of the remount money shall be paid, when the requisition shall be made to put the said corps of 8000 men in a condition to march;
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and the other moiety, when the said cavalry shall actually march.

VI. Besides what is stipulated in the preceding article, his Majesty the King of Great-Britain engages to pay to the most Serene Landgrave, during the time that this treaty shall last, an annual subsidy, in the manner, and proportion following; that is to say, this subsidy shall commence from the day of the signing of this treaty; and for the time, which shall elapse from that day, to the time of the requisition to put them in a condition to march, shall be paid at the rate of 150,000 crowns, Banco, per annum, the crown reckoned at 53 sols of Holland, or at four shillings and 9d. $\frac{3}{4}$ English money; from the said time of making the requisition, to the day, when the whole body, as well cavalry as infantry, shall be in the pay of the Crown of Great-Britain, the subsidy shall be augmented and paid at the rate of 300,000 crowns aforesaid; and during the whole time that the said corps shall be actually in the pay of his Majesty, the most Serene Landgrave shall enjoy an annual subsidy of 150,000 crowns aforesaid. When the said troops shall be sent back by his Britannick Majesty; from the day of their return into the territories of his most serene Highness, until the expiration of the Treaty, the subsidy shall be again raised and continued on the foot of 300,000 crowns aforesaid per annum; and the payment of this respective subsidy shall be made regularly, without diminution, and quarterly, in the city of Cassel, into the military chest of the most serene Landgrave, authorised for the receipt thereof.

VII. With regard to the pay, and treatment, as well ordinary as extraordinary, of the said troops whilst they shall be actually in the pay of Great-Britain: It is agreed, that, as long as they serve in the Empire, they shall enjoy the same advantages and emoluments, in every thing, as his Majesty allows to his German troops, according to the effective state, in which the said body of troops shall be delivered; which shall be ascertained by a Tabelle signed by the respective ministers of the high-contracting parties, which shall have the same force, as if it was inserted, word for word, in the present treaty. Whilst they shall be employed in the Low-countries, they shall be treated in
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the said respect, on the foot of the Dutch troops: And if it should happen that they were to be employed in Great-Britain or Ireland, from the time of the notification which shall be thereof made, in that case, to the most serene Landgrave, they shall be put on the same foot, in all respects, with the national British troops; which several pays and treatments shall be paid into the military chest of his most serene Highness, without any deduction or diminution, in order to the making a distribution thereof.

VIII. If it should happen unfortunately, that any regiments or companies of the above-mentioned corps should be ruined and destroyed, in the whole or in part; or that the pieces of cannon, with which they shall be furnished, should be taken by the enemy; his Majesty, the King of Great-Britain, shall cause to be paid the expences of the necessary recruiting and remounting them, as also the value of the said field pieces; in order forthwith to reinstate the artillery, and the said regiments and companies: And the said recruiting and remounting shall be regulated, likewise, on the foot of what was furnished to the Hessian officers, by virtue of the treaty of 1702, article V, to the end that this corps may be always preserved and sent back, one day, in as good a state, as it was delivered in.

IX. His Britannick Majesty shall be at liberty, to keep this body of troops in his service, the whole time of the duration of this treaty, and to employ it wheresoever he shall have occasion for it, provided it be not on board the fleet, or beyond the sea, when once it has departed out of the territories of the most serene Landgrave; excepting, always, for the defence of Great-Britain and Ireland; in which case, these troops shall enjoy, fully, and without any restriction whatsoever, the same pay and emoluments, as the English troops enjoy, as has been said above. And when his Majesty the King of Great-Britain shall think fit to send back the said troops, he shall give notice thereof to his most serene Highness, three months beforehand, and shall cause to be paid to them one month's pay for their return, and furnish them gratis, the necessary transport vessels.

X. In case the most serene Landgrave should be attacked or disturbed in the possession of his states; his Britannick

nick Majesty promises and engages to send back to him, speedily, the said body of troops, not only paying them a month's pay, but also furnishing them, gratis, the transport vessels requisite for their return ; and to give, moreover, to his most serene Highness all the succour of troops, which the case shall require ; which succour shall be continued to him, until he shall have obtained an entire security and just indemnification. And the most serene Landgrave promises, in like manner, on his part, that in case his Majesty the King of Great-Britain is attacked or disturbed in his dominions, estates, lands, provinces, or towns, he will also yield him all the succour, that it shall be in his power to give him ; which succour shall, in like manner, be continued to him, until he shall have obtained a good and advantageous peace.

XI. In order to render this alliance and union the more perfect, and to leave no doubt, with the parties, about the certainty of the succour, which they may expect by virtue of this treaty ; it is expressly agreed, that, to judge, for the future, whether the case of this alliance and succour exists, or not, it shall suffice, that either of the parties are actually attacked by force of arms, without his having first used open force against him who attacks him.

XII. His most serene Highness, to give the fuller proof that he is desirous to attach himself entirely to the interests of his Britannick Majesty, and to advance them with all his power, engages, moreover, to augment the said corps with 4000 men more, viz. 700 horse or dragoons, and 3300 foot ; each regiment of infantry provided with two field pieces ; and consequently to raise the said corps to the number of 12,000 men, as soon as his Majesty the King of Great-Britain shall judge it necessary or advantageous for his service ; the whole, on the same conditions, in proportion, as have been stipulated in the preceding articles of this treaty, for the body of 8000 men ; and these 4000 men shall be put in a condition, to be delivered, and to join the first body of 8000, within the space of six months, after the demand of them, which shall be made to him : his said Majesty promising, on his part, to make good, for these 4000 men, not only the remount and recruit money, after the rate of 80 crowns, Banco, for each trooper

trooper or dragoon, and of 30 crowns, Banco, for each foot soldier; but also to raise the subsidy for this body of 12,000 men, from the day, when his most serene Highness shall be required to keep them in readiness, to the sum of 450,000 crowns, Banco, per annum, so long as they shall be at the charge of the finances of his most serene Highness; and to the sum of 225,000 crowns, Banco, annually, so long as they shall be in the pay of his Britannick Majesty: the pay and treatment, as well ordinary as extraordinary, as also all the emoluments for this corps of 12,000 men, being to be regulated on the same foot as is fixed, by this treaty, for the corps of the first 8000 men.

XIII. This treaty shall subsist for the term of four years, to be reckoned from the day of the signature: and if his Britannick Majesty, and the most serene Landgrave, should think proper to continue, prolong, or change it, they shall treat thereupon three months before its expiration, according to the exigence of the case.

XIV. The ratifications of this treaty shall be exchanged at Hanover, within the space of six weeks after the signature, or sooner if it can be done. In witness whereof, we the underwritten, furnished with the full powers of his Britannick Majesty, and of the most serene Landgrave of Hesse-Cassel, have signed the present treaty, and have caused the seals of our arms to be put thereto. Done at Hanover, the 18th of June, 1755.

(L. S.) *Holderneffe.*

Diede.

(L. S.)

J. H. Alt.

(L. S.)

A compleat Copy of all our Treaties with the King of Prussia, the Secret and Separate Articles, the Declaration relative to the Proposal of Great-Britain's sending a Fleet into the Baltick in 1758, and other important Objects.

O R I G I N A L.

D'AUTANT que les différends, qui se sont élevés en Amérique entre le Roi de la Grande Bretagne et le Roi Très Chrétien, et dont les suites deviennent de plus en plus critiques, donnent lieu de craindre pour la tranquillité publique

publique en Europe ; sa Majesté le Roi de la Grande Bretagne, electeur de Bronsvic Lunebourg, &c. et sa Majesté le Roi de Prusse, electeur de Brandebourg, &c. attentives à un objet si intercessant, et également animés du desir de conserver la paix generale de l'Europe, et celle de l'Allemagne en particulier, ont bien voulu se concerter sur les mesures, qui puissent contribuer le plus efficacement à une fin si desirable ; et pour cet effet elles ont autorisé leurs ministres plenipotentiaires respectifs ; savoir, au nom et de la part de sa Majesté Britannique, ses conseillers privés Philippe Comte de Hardwicke, son chancelier de la Grande Bretagne : Jean Comte de Granville, president de son conseil : Thomas Holles Duc de Newcastle, premier commissaire de sa tresorerie : Robert Comte de Holderness, l'un de ses principaux secretares d'etat ; et Henry Fox, un autre de ses principaux secretares d'etat ; et au nom et de la part de sa Majesté Prussienne, le Sieur Louis Michell, son chargé d'affaires à la cour de sa Majesté Britannique ; lesquels, après s'etre communiqués reciproquement leurs pleinpouvoirs, sont convenus des articles suivans.

Article I. Il y aura entre les dits serenissimes Rois une paix sincerè et une amitié reciproque, nonobstant les troubles pourront s'élever en Europe, en consequence des differends susmentionnés, en suite de laquelle aucune des parties contractantes n'attaquera, ni envahira directement ni indirectement le territoire de l'autre : mais au contraire elles feront chacune de son cotè tous leurs efforts pour empecher leurs alliés respectifs de rien entreprendre contre le dit territoire de quelque maniere que se puisse être.

II. En cas que, contre tout attente, et en violation de la tranquillité que les hautes parties contractantes entendent maintenir par ce traité dans l'Allemagne, quelque puissance estrangere fit entrer des troupes dans la dite Allemagne sous quelque pretexte que ce puisse être, les deux hautes contractantes uniront leurs forces et pour punir cette infraction de la paix, et pour maintenir la tranquillité en Allemagne selon, l'objet du present traité.

III. Les hautes parties contractantes renouvellent expressément tous les traités d'alliance et de garantie, qui subsistent actuellement entre elles, et nommément l'alliance defensive et de garantie reciproque conclüe à Westminster

entre leurs Majestés Britannique et Prussienne le 18me de Novembre 1742, le convention arretée entre leurs dites Majestés à Hannovre, le 26me Août 1745, et l'acte d'acceptation de sa Majesté Prussienne de celui de garantie de sa Majesté Britannique du 13me d'Octobre 1746.

IV. Le présent traité sera ratifié par sa Majesté le Roi de la Grande Bretagne, et par sa Majesté le Roi de Prusse, et les lettres de ratification en bonne forme seront delivrées, de part et d'autre dans le tems d'un mois ou plutôt si faire se peut, a compter du jour de la signature du present traité.

En foy de quoi nous souffignées, munis des pleinpouvoirs de leurs Majestés les Rois de la Grand Bretagne et de Prusse, avons, en leurs noms, signé le present traité, et y avons apposé les cachets de nos armes. Fait à Westminster, le seizième jour de Janvier, l'an de Grace 1756.

(L. S.) HARDWICKE, C.

(L. S.) GRANVILLE, P.

(L. S.) HOLLES NEWCASTLE.

(L. S.) HOLDERNESSE.

(L. S.) H. FOX.

T R A N S L A T I O N .

AS the differences, which have arisen in America, between the King of Great-Britain and the most Christian King, and the consequences of which become every day more alarming, give room to fear for the public tranquility of Europe; his Majesty the King of Great-Britain, Elector of Brunswick Lunenbourg, &c. and his Majesty the King of Prussia, Elector of Brandenburgh, attentive to an object so very interesting, and equally desirous of preserving the peace of Europe in general, and that of Germany in particular, have resolved to enter into such measures, as may the most effectually contribute to so desirable an end; and for this purpose, they have respectively authorized their Ministers Plenipotentiary, viz. In the name and on the part of his Britannick Majesty, his Privy Counsellors, Philip Earl of Hardwicke, Chancellor of Great-Britain; John Earl of Granville, President of the Council; Thomas Holles Duke of Newcastle, first Commissioner of the

the Treasury ; Robert Earl of Holdernesse, one of the principal Secretaries of State ; and Henry Fox, another of the principal Secretaries of State ; and in the name, and on the part of his Prussian Majesty, the Sieur Lewis Mitchell, his *chargé d'affaires* at the court of his Britannick Majesty ; who, after having mutually communicated their full powers, have agreed upon the following articles.

I. There shall be, between the said most serene Kings, a perfect peace and mutual amity, notwithstanding the troubles that may arise in Europe, in consequence of the above-mentioned differences ; so that neither of the contracting parties shall attack, or invade, directly or indirectly, the territories of the other ; but on the contrary, shall exert their utmost efforts, to prevent their respective allies from undertaking any thing against the said territories in any manner whatever.

II. If, contrary to all expectation, and in violation of the peace, which the high contracting parties propose to maintain by this treaty in Germany, any foreign power should cause troops to enter into the said Germany, under any pretext whatsoever ; the two high contracting parties shall unite their forces to punish this infraction of the peace, and maintain the tranquility of Germany, according to the purport of the present treaty.

III. The high contracting parties renew expressly all the treaties of alliance and guaranty, which actually subsist between them, and particularly the defensive alliance and mutual guaranty concluded at Westminster between their Britannick and Prussian Majesties, the 18th of November, 1742, the convention entered into between their said Majesties at Hanover the 26th of August, 1745, and the act of acceptance of his Prussian Majesty of the guaranty of his Britannick Majesty, of the 13th of October, 1746.

IV. The present treaty shall be ratified by his Majesty the King of Great-Britain, and his Majesty the King of Prussia ; and the letters of ratification in due form shall be delivered on both sides, within the space of one month, or sooner, if possible, reckoning from the day of signing the present treaty.

In witness whereof, we the under-signed, furnished with the full powers of their Majesties the Kings of Great-

Britain and Prussia, have, in their names, signed the present treaty, and thereto set our seals. Done at Westminster, the sixteenth day of January, in the year of our Lord 1756.

(L. S.) HARDWICKE, C.

(L. S.) GRANVILLÉ, P.

(L. S.) HOLLES NEWCASTLE.

(L. S.) HOLDERNESSE.

(L. S.) H. FOX.

Secret and separate Article.

Article secret & séparé.

COMME la convention de neutralité, signée en date d'aujourd'hui par les Ministres de sa Majesté le Roi de la Grande Bretagne, et de sa Majesté le Roi de Prusse, munis de pleinpouvoirs nécessaires pour cet effet, ne regarde que l'Allemagne, cette convention ne doit point être étendue aux paix-bas Autrichiens et leurs dependances, qui ne doivent point être censés compris dans la présente convention de neutralité sous quelque pretexte que cela puisse être; d'autant plus que sa Majesté le Roi de Prusse n'a garanti, dans le huitieme article de la paix de Dresde, a sa Majesté l'Imperatrice Reine de Hongrie et de Bohême, que les etats qu'elle possède en Allemagne.

Cette article secret et séparé aura la même force, que s'il étoit inséré, de mot a mot, dans la présente convention de neutralité signée aujourd'hui; et les ratifications en seront échangées dans le même tems que celles de la dite convention. En foy de quoi nous soussignées, munis de pleinpouvoirs de leurs Majestés les Rois de la Grande Bretagne et de Prusse, avons, en leurs noms, signé le present article secret et séparé, et y avons apposé les cachets de nos armes.

Fait à Westminster le seizeieme jour de Janvier, l'an de Grace, 1756.

(L. S.) HARDWICKE, C.

(L. S.) GRANVILLE, P.

(L. S.) HOLLES NEWCASTLE.

(L. S.) HOLDERNESSE.

(L. S.) H. FOX.

D E C L A.

D E C L A R A T I O N.

A FIN de terminer les différends qui peuvent s'être élevés entre leurs Majestés Prussienne et Britannique, il est déclaré, que dèsque sa Majesté Prussienne levera l'arrêt mis sur la dette de la Silesie, et fera payer aux sujets de sa Majesté Britannique ce qui leur en reste dû selon le contract original, tant interests que principal ; sa Majesté Britannique promet et s'engage de son coté de faire payer a sa Majesté Prussienne la somme de vingt mille livres sterlin, en extinction de toute pretension de sa dit Majesté ou de ses sujets à la charge de sa Majesté Britannique sous quelque pretexte que ce puisse être. Fait à Westminster le seizième jour de Janvier, l'an de Grace, 1756.

(L. S.) LOUIS MICHELL.

T R A N S L A T I O N.

AS the convention of neutrality of the date of this day, signed by the Ministers of his Majesty the King of Great-Britain, and of his Majesty the King of Prussia, furnished with the full powers necessary for that purpose, relates only to Germany ; this convention must not be understood to extend to the Austrian Low-Countries and their dependencies, which ought not to be considered as comprised in the present convention of neutrality, under any pretext whatsoever : the rather, as his Majesty the King of Prussia hath not, in the eighth article of the peace of Dresden, guaranteed to her Majesty the Empress Queen of Hungary and Bohemia, any thing but the dominions which she possesses in Germany.

This secret and separate article shall have the same force as if it had been inserted, word for word, in the present convention of neutrality signed this day ; and the ratifications of it shall be exchanged at the same time with those of the said convention.

In witness whereof, we the under-signed, furnished with the full powers of their Majesties the Kings of Great-Britain and Prussia, have, in their names, signed the present secret and separate article, and thereto set our seals.

Done at Westminster, the sixteenth day of January, in the year of our Lord 1756.

(L. S.) HARDWICKE, C.
 (L. S.) GRANVILLE, P.
 (L. S.) HOLLES NEWCASTLE,
 (L. S.) HOLDERNESSE.
 (L. S.) H. FOX.

DECLARATION.

IN order to prevent any disputes that might arise between their Prussian and Britannick Majesties, it is hereby declared, that as soon as his Prussian Majesty shall have taken off the attachment laid upon the Silesia debt, and caused to be paid to his Britannick Majesty's subjects what remains due to them of that debt, as well interest as principal, according to the original contract; his Britannick Majesty promises and engages, on his part, to cause to be paid to his Prussian Majesty the sum of twenty thousand pounds sterling, in full satisfaction of every claim, which his said Majesty, or his subjects, may have against his Britannick Majesty, under any pretext whatsoever.

Done at Westminster, the sixteenth day of January, in the year of our Lord 1756.

(L. S.) LOUIS MICHELL,

*Treaty between his Majesty and the King of Prussia,
 April 11th, 1758.*

D'AUTANT què le seizième jour de Janvier, 1756, ils fut conclu et signé entre leurs Majestés Britanique et Prussienne un traité, dont les stipulations tendoient à conserver la paix general de l'Europe, et celle de l'Allemagne en particulier; et comme depuis ce periode, la France a non seulement envahi l'empire avec des armées nombreuses, et attaqué leurs susdites Majestés et leurs alliés, mais a aussi suscitè d'autres puissances à en agir de même; et qu'il est notoire, que les efforts extraordinaires fait par sa Majesté Prussienne pour se defendre contre le nombre d'ennemis

d'ennemis qui l'ont affailli de tant de côtes à la fois, ont occasionné de frais extrêmement onéreux, pendant que, de l'autre côté, ses revenus ont été fort diminués dans les parties de ses états qui ont été le siège de la guerre ; et leurs Majestés ayant résolu mutuellement à continuer leurs efforts pour leur défense et sûreté réciproques, pour le recouvrement de leurs possessions, pour la protection de leurs alliés, et pour le maintien de libertés du corps Germanique : Sa Majesté Britannique s'est déterminée en conséquence de ces considérations à donner un secours immédiat, en argent, à sa Majesté Prussienne, comme le plus prompt et le plus efficace, et leurs susdites Majestés ont jugé, convenable qu'il fût fait la dessus une convention qui déclarât et fixât leurs intentions réciproques à cet égard : pour cet effet elles ont nommé et autorisé leurs ministres respectifs, savoir, au nom et de la part de sa Majesté Britannique, ses conseillers privés, le Chevalier Robert Henley, son garde du grand sceau de la Grande Bretagne, Jean Comte de Granville, Président de son Conseil ; Thomas Holles Duc de Newcastle, premier Commissaire de sa Trésorerie ; Robert Comte de Holderness, l'un de ses principaux Secrétares d'Etat ; Philippe Comte de Hardwicke ; et Guillaume Pitt, un autre de ses principaux Secrétares d'Etat : et au nom et de la part de sa Majesté Prussienne, les Sieurs Dodo Henry Baron Knyphausen, son Conseiller privé d'ambassade, et son Ministre plenipotentiaire à la cour de sa Majesté Britannique ; et Louis Michell, son chargé d'affaires à la dite cour ; lesquels, après s'être communiqués leurs pleinpouvoirs respectifs, sont convenus des articles suivans.

I. Sa Majesté le Roi de la Grande Bretagne s'engage de faire payer dans la ville de Londres, entre les mains de la personne ou des personnes qui seront autorisées à cet effet par sa Majesté le Roi de Prusse, la somme de quatre millions d'écus d'Allemagne, montant à six cent soixante et dix mille livres sterling, laquelle somme sera payée en entier, et en un seul terme, immédiatement après l'échange des ratifications, à la requisiion de sa Majesté Prussienne.

II. Sa Majesté le Roi de Prusse s'engage, de son côté d'employer la dite somme pour la maintien et l'augmentation de ses forces, lesquelles agiront de la manière la plus

utile à la cause commune, et au but proposé par leurs dites Majestés de défense reciproque, et de sûreté mutuelle.

III. S'engageant, en outre, les hauts contractans, savoir, d'un côté sa Majesté Britannique tant comme Roi que comme Electeur, et de l'autre sa Majesté Prussienne, de ne conclurre aucun traité de paix, de trêve ou de neutralité, ni autre convention ou accord que ce soit, avec les puissances qui ont pris parti à la presente guerre, que de concert et par un accord mutuel, et en s'y comprenant nommément.

IV. Cette convention sera ratifiée, et les ratifications échanges de part et d'autre, dans le terme de six semaines à compter de la date de la signature de la presente convention ou plutôt si faire se pourra.

En foy de quoi nous soussignés Ministres de sa Majesté le Roi de la Grande Bretagne, et de sa Majesté le Roi de Prusse, en vertu de nos pleinpouvoirs, avons signé la presente convention, et y avons apposé les cachets de nos armes. Fait à Londres l'onzieme jour d'Avril, l'an de Grace, 1758.

(L. S.) ROBERT HENLEY, C. S.

(L. S.) GRANVILLE, P.

(L. S.) HOLLES NEWCASTLE,

(L. S.) HOLDERNESSE.

(L. S.) HARDWICKE.

(L. S.) WILLIAM PITT,

T R A N S L A T I O N.

AS on the sixteenth day of January, 1756, there was concluded and signed, between their Britannick and Prussian Majesties, a treaty, the purport of which was to preserve the peace of Europe in general, and that of Germany in particular; and whereas, since that period, France hath not only invaded the empire with numerous armies, and attacked their foresaid Majesties and their allies, but hath also excited other powers to do the same; and whereas it is notorious, that the extraordinary efforts made by his Prussian Majesty to defend himself against the numerous enemies, who have assailed him on so many sides at once, have occasioned very heavy expences, whilst, on the other hand,

hand, his revenues have been considerably diminished in those parts of his dominions, which have been the seat of war; and their Majesties having jointly resolved to continue their efforts for their mutual defence and security, for recovering their dominions, protecting their allies, and maintaining the liberties of the Germanic body; his Britannick Majesty is determined, in consequence of these considerations, to give an immediate supply, in money, to his Prussian Majesty, as being the most speedy and effectual; and their foresaid Majesties have thought proper, that, upon this head, there should be concluded a convention, declaring and fixing their mutual intentions in this particular; For this purpose, they have named and authorized their respective Ministers, viz. in the name, and on the part of his Britannick Majesty, his Privy Counsellors, Sir Robert Henley, Keeper of the great Seal of Great-Britain; John Earl of Granville, President of the Council; Thomas Holles, Duke of Newcastle, first Commissioner of the Treasury; Robert Earl of Holderness, one of the principal Secretaries of State; Philip, Earl of Hardwicke; and William Pitt, another of the principal Secretaries of State; and in the name, and on the part of his Prussian Majesty, Dodo Henry, Baron Knaphausen, his Privy Counsellor of Embassy, and his Minister Plenipotentiary at the court of his Britannick Majesty, and Louis Michell, his *chargé d'affaires* at the said court; who, after having communicated to each other their respective full powers, have agreed upon the following articles.

I. His Majesty the King of Great-Britain engages to cause to be paid, in the city of London, into the hands of such person or persons, as shall be authorized for that purpose by his Majesty the King of Prussia, the sum of four millions of German crowns, amounting to six hundred and seventy thousand pounds sterling; which sum shall be paid in whole, and at one single term, immediately after the exchange of the ratifications, at the requisition of his Prussian Majesty.

II. His Majesty the King of Prussia engages, on the other hand, to employ the said sum in maintaining and augmenting his forces, which shall act in the manner most advantageous

advantageous to the common cause, and the most conducive to the end, proposed by their said Majesties, of reciprocal defence, and mutual security.

III. The high contracting parties, moreover, engage, viz. on the one side, his Britannick Majesty, as well King as Elector, and, on the other, his Prussian Majesty, not to conclude any treaty of peace, truce, or neutrality, or other convention or agreement whatever, with the powers who have taken part in the present war, but in concert and by mutual agreement, and by comprehending each other by name.

IV. This convention shall be ratified, and the ratifications exchanged on both sides, in the space of six weeks, reckoning from the date of signing the present convention, or sooner if possible.

In witness whereof, we the under-signed Ministers of his Majesty the King of Great-Britain, and of his Majesty the King of Prussia, in virtue of our full powers, have signed the present convention, and thereto set our seals.

Done at London the 11th day of April, in the year of our Lord 1758.

(L. S.) ROBERT HENLEY, C. S.

(L. S.) GRANVILLE, P.

(L. S.) HOLLES NEWCASTLE.

(L. S.) HOLDERNESSE.

(L. S.) HARDWICKE.

(L. S.) WILLIAM PITT.

Declaration bearing to the Treaty with the King of Prussia, of April 11, 1758.

D E C L A R A T I O N.

ENSUITE de la convention signé aujourd'hui, sa Majesté Britannique est prête à déclarer, qu'il s'adressera d'abord à son fidele parlement, afin d'être mis en état de payer et d'entretenir, en Allemagne, une armée de cinquante mille hommes au dépens de la couronne de la Grande Bretagne, et sa Majesté veut bien déclarer en outre, qu'en sa qualité d'Electeur, il augmentera aussi la dite armée d'un corps de cinq mille hommes, dont le total
agira

agira avec la dernière vigueur contre l'ennemi commun, de concert avec le Roi de Prusse, en tels lieux qu'exigera la raison de guerre et le bien de la cause commune.

Et pour ne rien laisser à désirer de la part de sa Majesté, de tout ce qui pourra s'affectuer pour le bien de la cause commune, d'une façon compatible avec la sûreté des ses royaumes, et avec la continuation vigoureuse d'opérations indispensables en Amérique, c'est l'intention du Roi, qu'une partie considérable de ses troupes de terre et de l'escadre qui est destinée au service de la manche, soit employée de la manière qui puisse le plus efficacement incommoder l'ennemi, et faire une diversion utile ; à quel effet sa Majesté a ordonné la formation d'un camp dans l'isle de Wight. Et comme le Sieur Michell, Ministre Prussien résident après de sa Majesté, a représenté combien il seroit utile aux affaires de sa Majesté Prussienne qu'un détachement de troupes Angloises fut envoyé assûrer la ville d'Emden jusqu'à ce que le Roi de Prusse puisse prendre des mesures convenables pour la protection de cette place ; le Roi ne balance pas de donner à sa Majesté Prussienne cette nouvelle preuve d'amitié sincere, et à cet effet a ordonné à un de ses bataillons de se rendre, sans pert de tems, à Emden ; et fera communiquer au Ministre de sa Majesté Prussienne une copie des instructions dressées pour le commandant de ce bataillon.

Désque la convention signée aujourd'hui aura été communiquée au parlement, (fondement indispensable du secours pecuniare y stipulé :) Et qu'en conséquence de cette communication, la somme aura été votée ; il dependra alors de sa Majesté Prussienne d'en faire usage en tel tems qu'elle jugera à propos.

C'est avec le regret le plus sensible, que le Roy se trouve, encore, dans la nécessité absolue de se refuser à tout engagement sur l'envoy d'une escadre de ses vaisseaux dans la mer Baltique. Afin, cependant, que le Roi de Prusse puisse s'assûrer ultérieurement, que la seule et unique source des difficultés qu'on fait sur cet article est l'inutilité et le danger d'y envoyer une petite escadre, et l'impossibilité de pouvoir s'en passer d'une qui pourroit suffisamment s'y faire respecter, et nullement par egard pour aucune des puissances qui ont pris part à la guerre ; et à fin que toute l'Europe puisse

puisse voir d'autant plus clairement, dès le moment que la convention d'aujourd'hui sera ratifiée, que leurs Majestés Britannique et Prussienne ont les mêmes amis, et les mêmes ennemis : le Roi est prêt à faire telle déclaration, qui, au sentiment de sa Majesté Prussienne, puisse fortifier la cause commune, et servir à leurs intérêts mutuels ; en cas que le Roi de Prusse recommande dans la présente situation des cours de Petersbourg et de Stockholm un langage différent de celui que sa Majesté Prussienne a jusqu'ici conseillé et concerté avec le Roi.

Fait à Londres la 11^{me} jour d'Avril, 1758.

(L. S.) ROBERT HENLEY, C. S.
 (L. S.) GRANVILLE, P.
 (L. S.) HOLLES NEWCASTLE.
 (L. S.) HOLDERNESSE.
 (L. S.) HARDWICKE.
 (L. S.) WILLIAM PITT.

T R A N S L A T I O N.

IN consequence of the convention signed this day, his Britannick Majesty very freely declares, that he will immediately apply to his faithful parliament, in order to be put in a condition to pay and to maintain, in Germany, an army of fifty thousand men at the expence of the crown of Great-Britain ; and his Majesty, moreover, very willingly declares, that, in quality of Elector, he will likewise augment the said army with a body of five thousand men ; the whole of which shall act with the utmost vigour against the common enemy, in concert with the King of Prussia, in such places, as the reason of war, and the good of the common cause, shall require.

And that nothing, which can reasonably be desired of his Majesty, may be left unattempted for the good of the common cause, in a manner consistent with the safety of his kingdoms, and the vigorous prosecution of the necessary operations in America, it is the intention of his Majesty, that a considerable part of his land forces, and a squadron of ships, destined for the service of the channel, should be employed in such a manner, as may the most effectually

fectually annoy the enemy ; for which purpose his Majesty has ordered a camp to be formed in the isle of Wight. And as Mr. Michell, the Prussian Minister, resident at his Majesty's court, has represented, how advantageous it would be to the affairs of his Prussian Majesty, that a detachment of the English troops should be sent to secure the town of Embden, till such time as the King of Prussia shall be able to take proper measures for the protection of that place ; the King hesitates not to give his Prussian Majesty this fresh proof of his sincere friendship, and for that purpose hath ordered one of his battalions to march, without loss of time, to Embden ; and he will cause to be communicated to the Minister of his Prussian Majesty a copy of the instructions drawn up for the commander of that battalion.

As soon as the convention signed to-day shall have been communicated to the parliament, (a step necessary for making good the pecuniary supply therein stipulated) and as soon as, in consequence of that communication, the sum shall have been voted ; it will then depend upon his Prussian Majesty to make use of it at such times as he shall judge proper.

'Tis with the sincerest regret, that the King again finds himself under an absolute necessity of refusing to enter into any engagement with regard to sending a squadron of ships into the Baltic. In order, however, still further to convince his Prussian Majesty, that the sole and only source of the difficulties which occur on this point, is the inability and danger of sending thither a small fleet, and the impossibility of being able to spare one that could make itself sufficiently respected in those parts, and by no means a regard to any of the powers, who have taken part in the war ; and in order to demonstrate the more clearly to all Europe, that, from the moment of the ratification of the present treaty, their Britannick and Prussian Majesties have the same friends and the same enemies ; the King is ready to make such a declaration, as, in the opinion of his Prussian Majesty, may strengthen the common cause, and promote their mutual interests ; in case the King of Prussia, in the present disposition of the courts of Petersburg and Stockholm, recommends a language different from that,
which

which his Prussian Majesty hath hitherto advised and concerted with the King.

Done at London the 11th day of April, 1758.

(L. S.) ROBERT HENLEY, C. S.

(L. S.) GRANVILLE, P.

(L. S.) HOLLES NEWCASTLE.

(L. S.) HOLDERNESSE.

(L. S.) HARDWICKE.

(L. S.) WILLIAM PITT:

Convention between his Majesty and the King of Prussia,
7 Dec. 1758.

SOIT notoire à tous ceux à qu'il appartient ou peut appartenir, que la guerre onereuse, dans laquelle sa Majesté Prussienne se trouve engagée, le mettant dans la nécessité de faire de nouveaux efforts pour se défendre contre le grande nombre d'ennemis dont ses etats sont assiailis ; et étant ainsi obligé de se concerter, de nouveau, avec sa Majesté Britannique, a fin de pour voir reciproquement et conjointement avec elle à leur defense et sureté commune ; et sa Majesté le Roy de la Grande Bretagne ayant fait connoitre, en même tems, le desir qu'il avoit de resserrer les liens d'amitié qui subsistent entre les deux cours, et de convenir, de nouveaux, à cette occasion, et pour cette fin, par une convention expresse, des secours par lesquelles il pourroit assister sa Majesté Prussienne le plus promptement, et le plus efficacement ; leurs dites Majestés ont, donc, pour cet effet, nommés et autorisés leurs Ministres respectifs, sçavoir, &c.—[Les noms des Ministres sont les mêmes que dans le traité précédent.]

I. Il est convenu, que tous les traités précédents qui subsistent entre les deux cours de quelque date et nature qu'ils puissent être, et principalement celui de Westminster du 16me de Janvier de l'année 1756, ainsi que la convention du 11me d'Avril de l'année courrant, seront censés rapellés et confirmés par la presente convention, en tous leurs points, articles, et clauses, et seront de la même force que s'il estoient inferés ici mot à mot.

II. Cct

II. Cet article est le même que le premier article du traité precedent.

III. Cet article est le même que le second article du traité precedent.

IV. Cet article est le même que le troisième article du traité precedent.

V. Cet article est le même que le quatrième article du traité precedent.

En foy de quoi, &c.—Fait à Londres le septième jour de Decembre, l'an de Grace 1758.

(L. S.) ROBERT HENLEY, C. S.

(L. S.) GRANVILLE, P.

(L. S.) HOLLES NEWCASTLE.

(L. S.) HOLDERNESSE.

(L. S.) HARDWICKE.

(L. S.) WILLIAM PITT.

T R A N S L A T I O N.

BE it known to all those whom it either does or may concern, that the burdensome war, in which his Prussian Majesty finds himself engaged, laying him under a necessity of making new efforts to defend himself against the numerous enemies, who have invaded his dominions; and being thus obliged to enter into new measures with his Britannick Majesty, in order to provide, reciprocally and jointly, for their mutual defence and common safety; and his Majesty the King of Great-Britain; having at the same time signified a desire of strengthening the bands of friendship, which subsist between the two courts, and to this end, by an express convention, upon the succours, by which he may assist his Prussian Majesty the most speedily and the most effectually: their said Majesties have, for that purpose, named and authorized their respective ministers, viz.—[The names of the ministers are the same with those in the treaty immediately preceding.]

I. It is agreed, that all former treaties, subsisting between the two courts, of what date or nature soever, and especially that of Westminster of the 16th of January 1756, as well as the convention of the 11th of April of the current

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rent year, shall be considered as renewed and confirmed by the present convention, in all their points, articles, and clauses, and shall have the same force, as if they were inserted here word for word.

II. This article is the same with the 1st article of the preceding treaty.

III. This article is the same with the 2d article of the preceding treaty.

IV. This article is the same with the 3d article of the preceding treaty.

V. This article is the same with the 4th article of the preceding treaty.

In witness whereof, &c.

Done at London, the 7th of December, 1758.

(L. S.) ROBERT HENLEY, C. S.

(L. S.) GRANVILLE, P.

(L. S.) HOLLES NEWCASTLE,

(L. S.) HOLDERNESSE.

(L. S.) HARDWICKE.

(L. S.) WILLIAM PITT.

*Convention between his Majesty and the King of Prussia,
9th November, 1759.*

THIS treaty is the same with the preceding, except the alteration of the date; and is signed by the same Ministers.

*Convention between his Majesty King George III. and the
King of Prussia, 12th December, 1760.*

THIS treaty is also the same with the preceding, except the alteration of the date; and is likewise signed by the same Ministers.

[To avoid repetition, we have given only one copy and one translation, where the treaties were the same.]

An HISTORICAL MEMORIAL of the Negotiation of France and England, from the 26th of March, 1761, to the 20th of September of the same Year, with the Vouchers. Translated from the French Original, published at Paris by Authority.

HIS Majesty [the French King] thinks it consistent with his goodness and justice to inform his subjects of the endeavours he has used, and the sacrifices he resolved to make, in order to restore peace to his kingdom.

France, and the whole universe, will judge from a plain and faithful detail of the negotiation, which has been carried on between the Courts of Versailles and London, which of the two Courts have been averse to the re-establishment of public tranquillity, and have sacrificed the common peace and welfare to their own ambition.

In order to form a clear and just opinion with regard to the Negotiation which has lately broken off between France and England, it is necessary to recollect the motives which occasioned the rupture between the two Crowns, and the particular circumstances, which have involved a considerable part of Europe in a war, which had at first America only for its object.

The limits of Acadia and Canada, which, by the treaty of Aix-la-Chapelle, were left to the discussion of commissaries to be named by the two Potentates, have served England as a pretence for commencing hostilities, and for taking two French ships, the Alcide and the Lys; while, in the midst of peace, and under the sanction of the law of nations, the Duke of Mirepoix, the French Ambassador, was treating at London in order to prevent a rupture, and to terminate those differences, which might have been easily accommodated at Aix-la-Chapelle, and which, while the peace subsisted, had met with the most unreasonable and extravagant opposition on the part of the English Commissaries.

The unexpected violence offered on the part of the English necessarily brought on the war: his Majesty found himself obliged, though with regret, to repel by force the indignity offered to France, and to prefer the honour of the nation to the tranquillity it enjoyed.

If the court of London had no other design than to establish the respective possessions of the two Crowns in North America upon a firm footing, she would have endeavoured to obviate, as France has done, every incident which might engage the powers of the Continent of Europe to take part in a war which is absolutely foreign to them, and which in fact, having no other object but what relates to the limits of Acadia and Canada, could not last long, and did not require the interposition of any other power. But England had more extensive views: she endeavoured to raise a general war against France, and hoped to renew the famous league which was formed against Lewis XIV. upon the accession of Philip V. to the throne of Spain; and to persuade all the Courts of Europe, that they were as much interested in the limits of Acadia, as in the succession of Charles II.

The conduct of France, in consequence of the first hostilities in 1755, was very different from that of England: his Majesty pacified his neighbours, restrained his allies, refused the advantageous prospect of a war, which was proposed to him on the Continent, and gave all the powers to understand, that his sole ambition was to restrain his enemies, the English, within due limits, and to maintain peace and justice among the powers, who ought to regard the differences respecting America with the most impartial neutrality.

The Court of London, to accomplish their ends, took advantage of his Majesty's equitable and pacific conduct. She knew that one of the allies of France might prove a lively obstacle to the establishment of peace and tranquillity, and made no doubt, but, in securing that ally, she should be able to make that House, which was considered as the antient rival of France, enter into all her views: but the Empress Queen of Hungary and Bohemia, animated by the same principles of equity of which his Majesty gave such laudable proofs, refused the proposals of England, and rather chose to run the risk of an unjust war, which was the natural and foreseen consequence of the treaty signed at Whitehall between the Kings of England and Prussia, than to engage in one contrary to the good faith of her Imperial Majesty.

His Majesty and the Empress-Queen, previous to the King of Prussia's invasion of Saxony, entered into an alliance on the 1st of May 1756, which was purely defensive. Their Majesties hoped, that their alliance would check the fire which was ready to kindle in Germany, and that it would prevent a war on the Continent of Europe. They were deceived in their expectations: the Court of London had armed the King of Prussia: nothing could restrain a Prince whose passion for war was unhappily violent: and he began it at the end of the year 1756, by the invasion of Saxony and the attack of Bohemia.

From that time two distinct wars subsisted; one of France with England, and which at the beginning had nothing in common with the war in Germany; and the other which the King of Prussia waged against the Empress-Queen, and in which the King of England was interested as an ally of the King of Prussia, and his Majesty, as gaurantee of the treaty of Westphalia, and, after his defensive treaty of the 1st of May, as an ally of the Court of Vienna.

France was cautious, in the engagements she was constrained to make with the confederate powers, not to blend the differences which disturbed the peace of America, with those which raised a commotion in Europe. In truth, his Majesty having always made it his principal object to recal each potentate to terms of reconciliation, and to restore public tranquillity, he judged it improper to blend interests of so distant and complicated a nature as those of Europe and America would prove, were they to have been jointly treated of in a negociation for a general and final peace. His Majesty proceeded farther, and with an intent to prevent a direct land war in Europe, he proposed the neutrality of Hanover in the year 1757; the King of England, Elector of Hanover, refused the proposition, and sent his son the duke of Cumberland, into his hereditary dominions in Germany, who, at the head of an army entirely composed of Germans, was ordered to oppose the march of those forces, which his Majesty, in pursuance of his engagements, sent to the assistance of his Allies who were attacked in their dominions.

The electoral army of Hanover finished the campaign of 1757, with the capitulation of Closter-seven. The Court of London thought proper to break that capitulation, a few months after it had been concluded by the consent of the King of England's son; the chief pretence alledged was, that the army which had capitulated belonged to the Elector, and that the same army which, contrary to the right of nations and all military laws, re-entered into action, was from that time to be considered as a British army. From that moment, (and it is necessary to attend to this circumstance) the army commanded by Prince Ferdinand of Brunswick, is become an English army: The Elector of Hanover, the Duke of Brunswick, the Landgrave of Hesse, their forces and their countries, have been blended together in the cause of England; so that the hostilities in Westphalia and Lower Saxony have had and still have the same object as the hostilities in America, Asia, and Africa; that is to say, the disputes subsisting between the two crowns concerning the limits of Acadia and Canada.

His Majesty consequently from that time being obliged to support a war both by sea and land against England his professed enemy, has afforded no farther succour of troops to his Allies to enable them to carry on their war in particular, but has only undertaken to preserve the places on the Lower Rhine for the Empress Queen, which were acquired by conquest from the King of Prussia, in the name of her Imperial Majesty. It would therefore betray ignorance of the most positive facts, to suppose that the war which is actually carried on in Westphalia, is for the interest of his Majesty's Allies; that war is purely English, which is carried on only because the army of England, in that part, defends the possessions of the King of Great Britain and his Allies.

We must conclude from what has been said with regard to the state of the two belligerent Crowns, that the war of France with England is in fact, and in its origin, very distinct from that of the Empress against the King of Prussia: nevertheless there is a connection between the two wars, which consists in the common engagement between the King and the Empress Queen, not to make a

separate peace with the common enemy but by mutual consent. This engagement, which is so conformable to the sentiments of friendship and confidence by which their Majesties are united, was necessary for their reciprocal security. As it would be dangerous for the forces of the King of Prussia to join against France, with those of England, commanded by Prince Ferdinand, it would be equally prejudicial and contrary to the faith of his Majesty's engagements with the Court of Vienna, that the British army should join the King of Prussia against the Empress Queen, and against the Princes of the Empire who are in alliance with France.

Although the year 1758, produced no political event, which might give room to a negotiation for the re-establishment of peace, yet France, ever zealous to promote it with the same sincerity, made use of the mediation of Denmark to inform England of her perseverance in the same pacific dispositions; the answer from the Court of London was as haughty as it was negative, and destroyed all hopes of a negotiation.

In 1759, the Courts of London and Berlin transmitted the following declaration from the Hague, to the Ministers of France, Vienna and Russia.

Declaration of their Prussian and Britannic Majesties.

THEIR Britannic and Prussian Majesties, touched with compassion, when they reflect on the evils which have been occasioned, and must still necessary result from the war which has been kindled for some years past, would think themselves wanting to the duties of humanity, and particularly regardless of the interest they take in the preservation and welfare of their respective kingdoms and subjects, if they neglected to use proper measures towards checking the progress of this cruel pestilence, and to contribute towards the re-establishment of public tranquility. It is with this view, and in order to ascertain the sincerity of their intentions in this respect, that their aforesaid Majesties have resolved to make the following declaration:

That they are ready to send Plenipotentiaries to any place which shall be judged most convenient, in order to

treat, in conjunction, concerning a general and firm peace, with those whom the belligerent powers shall think proper to authorize on their side, towards the accomplishment of so salutary an end.

I certify, that the above declaration is the same which was dispatched to me by the Earl of Holderness and the Baron Kniphauzen, in the name, and on the part of their Britannic and Prussian Majesties.

Given at the Castle of Ryfwick, this 25th of November 1759. Signed L. D. de Brunswick.

This declaration made no mention either of Sweden, or of the King of Poland, Elector of Saxony, two powers who were principally interested in the war. France and her Allies were not aware of this proceeding of the courts of London and Berlin. They were obliged to wait for an answer from Peterfbourg, in order to transmit in common a counter declaration, which the great distance between the countries obliged them to defer longer than France could have wished. At length it was transmitted in the following terms, and the Courts of London and Berlin never made any reply to it.

Counter Declaration of his Most Christian Majesty.

THEIR Britannic and Prussian Majesties having thought proper to testify, by a declaration which was delivered on their parts at the Hague, the 25th of November last, to the Ambassadors and Ministers of the Courts of Versailles, Vienna, and Peterfbourg, resident with their High Mightinesses the States General of the United Provinces, that, from a sincere desire of contributing to the re-establishment of public tranquillity, they were ready to send Plenipotentiaries to any place which should be judged most convenient, in order to treat concerning that important object with those whom the belligerent powers should think proper to authorize on their parts, for the accomplishment of so salutary an end.

His Majesty the Most Christian King, her Majesty the Empress Queen of Hungary and Bohemia, and her Majesty the Empress of all the Russias, being equally ani-

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mated with a desire of contributing to the re-establishment of public tranquillity, on a just and solid footing, do declare in return.

That his Majesty the Catholic King having been pleased to offer his mediation with respect to the war, which has subsisted some years between France and England; and this war having no object in common with that which has likewise for some years been carried on by the two Emperesses with their Allies, against the King of Prussia;

His Most Christian Majesty is ready to enter into a treaty of peace with England, so far as it regards himself, through the good offices of his Catholic Majesty, whose mediation he accepts with pleasure.

With respect to the war which directly concerns his Prussian Majesty, their Majesties the Most Christian King, the Empress Queen of Hungary and Bohemia, and the Empress of all the Russias, are disposed to co-operate towards the appointment of the proposed congress; but as, by virtue of their treaties, they cannot enter into any engagements relative to peace, but in conjunction with their Allies, it will be necessary, in order that they may explain themselves precisely on this subject, that their Britannic and Prussian Majesties would first be pleased to send their invitation to the Congress, to all the powers who are directly at war with the King of Prussia, particularly his Majesty of Sweden, as well as his Polish Majesty Elector of Saxony, who ought to be expressly invited to the future Congress.

In this counter declaration, France expressly separated her particular war with England, whether in Africa, Asia, America, or in Westphalia, from the war which was carried on in Saxony and Silesia. The King of Spain had then offered his good offices to bring about a reconciliation between France and England. The separation of the two wars, and the tender which his Catholic Majesty made of his good offices, induced the King to hope that the separate peace of France might be successfully negotiated at the Court of London. In consequence of this expectation, he ordered the Count D'Affry, his Majesty's Ambassador at the Hague, to enter into a conference with General Yorke, the Envoy Extraordinary from the King of Great Britain.

Britain. Those two Ministers had several conferences, which evidently proved that the Court of London was extremely averse to an accommodation, and that the declaration, which she caused to be transmitted by Prince Lewis of Brunswick (to put the most favourable construction on it) was no more than an external act of complaisance for her allies, and that she absolutely never intended it should take effect.

His Majesty was not discouraged by the inflexibility he still experienced on the part of his enemies, from endeavouring to bring about a just accommodation. His Majesty, in 1761, thought proper to declare his sentiments, and pacific inclinations to his allies. He found them inclined to concur in any measures which might facilitate and accelerate the re-establishment of public peace, and in consequence of these salutary dispositions, all the confederate powers agreed to transmit the following declaration to London.

The Declaration of his Most Christian Majesty.

THE pacific dispositions which the Kings of England and Prussia expressed the last year, and which are conformable to the sentiments of all the belligerent powers, having met with some difficulties which have proved obstacles to their success, the Courts of France, Vienna, Petersburg, Stockholm and Warsaw, have unanimously agreed to invite those of London and Berlin, to the renewal of a negotiation so expedient for the welfare of mankind, and which ought to interest all the powers at war in the cause of humanity.

With this view, and in order to proceed towards the re-establishment of peace, they propose the meeting of a Congress, at which they think it will be convenient to admit, with the Plenipotentiaries of the principal belligerent powers, no other than those of their allies. If the Kings of England and Prussia adopt this measure, his Most Christian Majesty, the Empress Queen, the Empress of Russia, the King of Sweden, and the King of Poland Elector of Saxony, propose the town of Augsburg, as the place of Congress, which they only point out as a town
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within the reach of all the parties interested, which by its situation seems to suit the convenience of all the States, and they will not oppose the choice of any other town in Germany, which their Britannic and Prussian Majesties may deem more convenient.

His Most Christian Majesty, the Empress Queen, the Empress of Russia, and the Kings of Sweden and Poland, declare farther, that they have made choice of Plenipotentiaries, to whom they will commit their interests at the Congress, in expectation that the King of England, the King of Prussia, and their allies, will speedily make choice of their respective Ministers, that the negotiation may not be retarded.

The sincerity of this declaration, which the Courts of France, Vienna, Petersburg, Stockholm, and Warsaw have, out of regard to the general good, determined to make to the Courts of London and Berlin, gives them to hope that their Britannic and Prussian Majesties, will signify, by a speedy answer, their sentiments on a subject so essential to the peace and welfare of Europe.

By order, and in the name of his Most Christian Majesty.
Signed, the Duke de Choiseul.

This declaration, which concerned all the Allies in general, was not sufficient to put a stop to the miseries of war, so speedily as France could have wished.

In fact, what delays and perplexing incidents were not to be expected from a Congress at which the interests of America were to be treated of at the same time with those of the two Empresses, Sweden, Saxony, and the King of Prussia!

To remove these obstacles, the King, with the consent of his allies, thought proper to press for a separation of the two wars, which had been agreed upon since the year 1759. In consequence of this intention; his Majesty caused a separate memorial to be addressed to the Court of London, which was accompanied by a letter from the Duke de Choiseul, his Minister and Secretary of State for foreign affairs, to Mr. Pitt, Minister and Secretary of State to his Britannic Majesty.

Letter

Letter from the Duke de Choiseul to Mr. Pitt.

S I R,

THE King my Master, acting in conformity with the sentiments of his Allies, in order, if possible, to procure the re-establishment of a general peace, has authorized me to transmit to your Excellency the memorial hereto annexed, which solely concerns the interests of France and England, with respect to the particular war between the two Crowns. The King has reason to hope, that the sincere manner in which he proposes to treat with his Britannic Majesty, will banish all mistrust in the course of the negotiation, if it takes place, and will induce his Britannic Majesty to make the King acquainted with his real sentiments, whether with regard to the continuance of war, or with respect to the conclusion of peace, as well as in relation to the principles on which they ought to proceed, in order to procure this blessing to the two nations.

I will add, that I am likewise authorized to assure your Excellency, that in relation to the war in which the King of Prussia is concerned, the allies of the King my Master are determined to treat of their interests in the future Congress, with the same frankness and sincerity, of which I can give your Excellency assurance on the part of France; and that, so as not to depart from what is due to their dignity, their situation, and to the demands of justice, they will bring with them to the negotiation all the acquiescence, which their humanity dictates for the general good of Europe.

The King my Master, and his allies, do not doubt but that they shall find the heart of his Britannic Majesty and his allies, impressed with the same sentiments. I esteem it a happiness that my office makes me the instrument of conveying such favourable sentiments, which give me an opportunity of assuring your Excellence, with what distinguished consideration I have the honour to be, &c.

Memorial of the Christian King.

THE most Christian King wishes, that the separate peace of France with England could be united with the

the general peace of Europe, which his Majesty most sincerely desires to establish ; but as the nature of the objects, which have occasioned the war between France and England, is totally foreign from the disputes in Germany, his most Christian Majesty has thought it necessary to agree with his Britannic Majesty on the principal articles, which may form the basis of their separate negotiations, in order to accelerate, as much as possible, the general conclusion of the peace.

The best method to accomplish the end proposed, is to remove those intricacies which might prove obstacles to its success. In the business of peace, the disputes of nations concerning their reciprocal conquests, the different opinions with respect to the utility of particular conquests, and the compensations for restitutions, generally form matter of embarrassment at a negotiation of peace. As it is natural for each nation, with regard to these different points, to endeavour the acquisition of all possible advantages, interest and distrust occasion oppositions and produce delays. To obviate these inconveniencies, and to testify the sincerity of his proceedings in the course of the negotiation of peace with England, the most Christian King proposes to agree with his Britannic Majesty, that, with respect to the particular war of France and England, the two Crowns shall remain in possession of what they have conquered from each other, and that the situation in which they shall stand on the 1st of September, in the year 1761, in the East Indies, on the 1st of July in the same year, in the West Indies and in Africa, and on the 1st of May following in Europe, shall be the position which shall serve as a basis to the treaty which may be negotiated between the two powers. Which shews that the most Christian King, in order to set an example of humanity, and to contribute to the re-establishment of the general tranquillity, will make a sacrifice of those restitutions which he has a right to claim, at the same time that he will maintain those acquisitions which he has gained from England during the course of the war.

Nevertheless as his Britannic Majesty may think that the periods proposed of the 1st of September, July, and May, are either too near or too distant for the interests of
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the British Crown, or that his Britannic Majesty may judge it proper to make compensation for the whole, or for part of the reciprocal conquests of the two Crowns, the most Christian King will readily enter into negotiation with his Britannic Majesty in relation to these two objects; when he shall know his sentiments concerning them, the principal view of his most Christian Majesty, being to testify not only to England, but to the whole world, his sincere disposition to remove all impediments which might defer the salutary object of peace.

The most Christian King expects, that the disposition of his Britannic Majesty will be correspondent, and that he will, with equal sincerity, answer all the articles contained in this memorial, in which the two Powers are so essentially interested.

These pieces were dated the 26th of March. England had then conquered from France Isle Royal or Cape Breton, all Canada, the Isles of Guadalope and Marigalant, and that of Goree in Africa, with Senegal; Europe at that time was ignorant of the precise situation of affairs between the two Crowns in Asia, and the expedition against Bell-Isle had not then taken place.

France, on the other hand, had conquered the Island of Minorca, had repaired some parts of the port of Dunkirk, and in Germany were in possession of Hanau, the Landgraviate of Hesse, and the town of Gottingen in the Electorate of Hanover. It is necessary to observe, that Cassel was besieged on the 26th of March, and that it was to be feared that on the 1st of May the King's forces would no longer be in possession of Hesse, and of the town of Gottingen.

Wesel and Gueldres could not be comprised in the offer of *Uti possidetis* which France proposed, because those two towns, and the countries dependant on them, appertain to the Empress Queen: that the King has only the custody of them, and that justice is administered there in the name of her Imperial Majesty.

All Europe was astonished at the sacrifices which the King was disposed to make to England: His Majesty's Ministry were reproached on the part of those Courts who were

were most affectionate to France, and no one doubted but that England would prefer the quiet possession of her conquests, and the repose of her allies in Germany, to the continuation of the war. The memorial of France, by establishing a fixed basis for the negotiation, proposed to make necessary compensations for the advantage of the two crowns, and opened a way for the evacuation of Germany on the part of the French troops, in compensation of the conquests of England in America.

The full extent of the proposition contained in the memorial of the 26th of March, addressed to Mr. Pitt, was known in France; but the King, like a true father of his people, thought of nothing but their relief; and in consequence of this sentiment, determined to adhere to the offers which seemed to him the most sure and ready expedients for inspiring his enemies with that spirit of reconciliation, which directed all his Majesty's wishes and measures.

Mr. Pitt answered the Duke of Choiseul's Letter, and at the same time sent him a memorial, in answer to that of France of the 26th of March.

Mr. Pitt's Letter to the Duke de Choiseul.

S I R,

London, 8th April, 1761.

THE King my Master has authorized me to transmit to your Excellency, with all the dispatch which was found possible, the memorial hereto annexed, in answer to that of the 26th of the last month, made by the order and in the name of his most Christian Majesty, solely concerning the interests of England and France, relative to the particular war between the two Crowns, which was accompanied by a letter from your Excellency of the same date, transmitted to me by M. the Prince Galitzin.

His Majesty has published his real sentiments, with regard to the salutary business of peace, with the sincerity which his Christian Majesty desires, and of which he himself set the example; the King my Master, on his part, desires nothing more than, by the sincerity of his conduct, to remove all distrust in course of the negotiation.

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I will likewise acquaint your Excellency, that the King learnt with great satisfaction, that your Excellency was authorized to give assurance that, in relation to the war which concerns the King of Prussia, the allies of his most Christian Majesty are determined to treat with the same openness and sincerity at the Court of France, and that they will bring with them, to the negotiation at the future Congress, all the acquiescence which their unanimity dictates for the general good of Europe.

I must add that, with regard to the war which concerns the King of Prussia, as well as with respect to the other allies of the King my Master, his Majesty, always constant in fulfilling the engagements of his crown with the most scrupulous exactness, can never fail to support their respective interests, whether in the course of the negotiation, (which may God prosper) or in the continuance of the war, (if contrary to all expectation this misfortune should be unavoidable) with the cordiality and efficacy of a sincere and faithful ally.

As to what remains, it is superfluous to mention to what degree his Majesty wishes for this speedy establishment of the general peace in Germany; after the distinguished proof his Majesty has given, in so readily consenting to the proposition of so distant a place as the town of Augsbourg for the meeting of the Congress.

Such are the sincere and upright intentions of the King my Master for the re-establishment of the public tranquillity. I think myself happy in having the charge of conveying such sentiments, and of having an opportunity of assuring your Excellency of the distinguished regard with which I have the honour to be, &c.

Signed W. P I T T.

The Memorial of his Britannick Majesty, of the 8th of April 1761.

HIS Britannic Majesty, equally desirous with the Most Christian King, that the separate Peace of England and France could be united with the general peace, for which the King of Great Britain is so sincerely interested, that, in regard to this point, he even means that the con-
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tests which might arise between the two Crowns concerning their particular differences, should not occasion the least delay to the speedy conclusion of so salutary a work as the general peace of Germany; and his Britannic Majesty is the more confirmed in this sentiment, dictated by humanity towards so many nations, that he feels in all its extent the proposition which the Most Christian King establishes as a fundamental principle; that the nature of the objects which have occasioned the war between England and France, is totally foreign from the disputes in Germany.

In consequence of this incontestible principle, the King of Great Britain entirely adopts the sentiment of his Most Christian Majesty, that it is necessary to agree between the two Crowns on some principal articles, which may form the basis of their particular negotiations, in order the more to accelerate the conclusion of a general peace.

The King of Great Britain equally agrees in general to the proposition which the Most Christian King has made with an openness, in which his Britannic Majesty will concur throughout the course of the negotiation; that is to say, that, in relation to the particular war between England and France. 1. The two Crowns shall remain in possession of what they have conquered, one from the other. 2. That the situation in which they shall stand at certain periods, shall be the position to serve as a basis for the Treaty which may be negotiated between the two Powers.

With regard to the first branch of the aforesaid proposition, his Britannic Majesty takes pleasure in doing justice to the magnanimity of His Most Christian Majesty, who, from motives of humanity, determines to sacrifice to the love of peace, the restitution which he thinks he has a right to claim, maintaining at the same time what he has conquered from England during the course of the war.

With respect to the second head of the aforesaid proposition, concerning the reciprocal Conquests made by the two Crowns one upon another; that is to say, That the situation in which they shall stand at the respective periods assigned for the different quarters of the globe, shall serve as a basis for the said Treaty, the King of Great Britain
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again acknowledges with satisfaction the candour which is manifested on the part of his Most Christian Majesty in this article, by obviating, as he has done, the extreme difficulties, and by anticipating the indispensable objections, which could not but arise on such a subject; it being in fact self-evident, that expeditions at sea requiring preparations of long standing, and depending on navigations which are uncertain, as well as on the concurrence of seasons, in places which are often too distant for orders relative to their execution to be adapted to the common vicissitudes of negociations, which for the most part are subject to disappointments and delays, and are always fluctuating and precarious: from whence it necessarily results, that the nature of such operations is by no means susceptible, without prejudice to the party who employs them, of any other epochas, than those which have reference to the day of signing the treaty of peace.

Nevertheless as this consideration, as well as that which respects the compensations (if such shall be found proper to be made between the two Crowns) on account of their reciprocal conquests, comprehend the most interesting and capital articles of the treaty, and as it is upon these two decisive objects, that the Most Christian King voluntarily offers to enter into a negociation; the King of Great Britain, desiring to concur effectually with the favourable dispositions of the Most Christian King, in order to remove all impediments, which might defer the salutary object of peace, his Britannic Majesty declares that he is ready on his part to enter upon the proposed negociation with speed and sincerity. And more authentically to demonstrate to what extent the sincerity of his conduct proceeds, his Britannic Majesty declares farther, that he should be glad to see some person at London sufficiently authorized, by a power from the Most Christian King, to enter upon this subject with the British Ministers, in regard to the several articles contained in the Letter of the D. de Choiseul of the 26th of March 1761, to the Secretary of State of his Britannic Majesty, which points are so essentially interesting to the two Powers.

By the order, and in the name of the King of Great Britain my Master,

Signed W. P I T T.

The letter of the English Minister shews, in appearance, an equal zeal with that of France, for the re-establishment of the Union between the two Crowns: it contains, moreover, a declaration in favour of the King of Prussia, which seems foreign to the purpose, and appears the more affected, as the King never testified the least desire to separate the alliance which united England to his Prussian Majesty.

The British Memorial, annexed to the letter of the English Minister, accepts the *Statu Quo*, but says nothing with regard to the epochs. In fact, it is concluding nothing with regard to that interesting and necessary object attached to the proposition of *Uti Possidetis*, to say that the peace shall be the epoch to fix the possessions of the two powers.

In the conclusion, England proposed the sending of a French Minister to London. This proposition gave a favourable omen of the dispositions of the British Court towards peace. The King ordered the D. de Choiseul to return an answer to Mr. Pitt, and to accompany it with a Memorial which, at the same time that it clearly expressed his Majesty's real sentiments, contained an acceptance of the proposal for sending a Minister to London, which required the reciprocity of dispatching an English Minister to France.

Letter from the D. de Choiseul to Mr. Pitt.

S I R,

Versailles, 19th April, 1761.

I Made the King my master acquainted with the letter which your Excellency did me the honour to write to me on the 8th instant, as well as with the Memorial thereto annexed.

His Majesty has remarked with real pleasure, the conformity of his Britannic Majesty's sentiments with his own, in regard to the sincere and open conduct which it becomes two such great powers to observe in the negotiation of a Peace.

The King has not delayed, Sir, the nomination of an Ambassador to represent him at the Congress at Augs-
burg. His Majesty has made choice of the Count de

Choiseul, at present his Ambassador at Vienna, and he will repair to the town appointed, at the beginning of July, in the expectation which we entertain here, that his Britannic Majesty will send his Ambassador thither at the same time.

The King has commanded me, Sir, to observe on this occasion to your Excellency, in answer to the declaration contained in your letter, that his Majesty, as constant as any other power, in fulfilling the engagements he has made with the Allies with the most scrupulous punctuality, will continue, with that fidelity which is consistent with the integrity and dignity of his character, to make his cause common with theirs, whether in the negotiation for the peace of Germany, or in the continuance of the war; if, to the misfortune of mankind, the favourable dispositions in which the belligerent powers are at present should not be attended with the success which is so earnestly desired.

I ought not, on this occasion, to omit informing your Excellency with what concern the King would see himself obliged to continue such a destructive war, after having entertained a confidence that all the parties were interested in putting a stop to the calamities it occasions.

As to what relates to the war in particular between France and England, I have annexed to this letter a memorial in reply to that of your Excellency. We cannot be too zealous in explaining the upright intentions of our masters, in order to remove, at the beginning of this interesting negotiation, those misunderstandings, which often augment, instead of lessening the delay.

You are a Minister, Sir, too enlightened, not to approve of this principle. I have the honour to be, with most distinguished regard, &c.

Signed Le Duc de Choiseul.

The Memorial of his Most Christian Majesty of the 19th April, 1761.

THE Most Christian King perceives with satisfaction, that his Britannic Majesty agrees that the nature of the objects which have occasioned the war between France
and

and England is totally foreign from the disputes which have given rise to the war in Germany; it is in consequence of this principle that his Most Christian Majesty offered the King of England to treat concerning the preliminaries relative to the particular interests of the two Crowns; but in making that proposition, the King of France, did not understand, as the beginning of the memorial of London of the 8th of April seems to intimate, that the peace of Germany could take place, without the differences between France and England being adjusted. His Most Christian Majesty has sufficient confidence in his Allies to be certain that they will neither conclude a peace nor a treaty, without his consent. He did not understand therefore, that the peace of Germany could be concluded distinctly from that of France and England, and he only proposed to the King of England, to separate the discussion of the two wars, in order to bring about a general peace for all parties:

His Most Christian Majesty renews the proposition which he caused to be made in the first memorial, that the two powers should remain in *Statu Quo* with regard to their possessions and conquests, according to the periods stated in the said memorial, but his Majesty observes, that the basis of the proposition is necessarily connected with the epochas proposed; for it is easy to conceive that such events may happen on either side, as may absolutely prevent an acquiescence to the *Uti Possidetis*, if the epochas are distant; and his Most Christian Majesty has the more reason to recal the whole proposition, if the King of England does not acquiesce to the epochas annexed to it, since no one can doubt but that those periods were proposed at a time when they were not advantageous to France.

It is certain that the reciprocal conquests cannot be ascertained but on the day of signing the peace; but it is no less certain, that it is impossible to fix the basis of a negotiation for peace, otherwise than according to the situation in which the belligerent parties stood at such or such a period of the war. This is the light in which the King of France understood the proposition which he made to the King of England; and it is upon this principle, if

his Britannic Majesty adopts it, that his Most Christian Majesty will send a Minister to London with credentials, and charged with full power sufficient to treat with the Ministers of the King of Great Britain, either with respect to the ground of the dispute, or in regard to the compensations proper to be made to the two Crowns, as well as concerning the interests of their colonies and their commerce. The disposition of his Most Christian Majesty, to put an end to the miseries of war, which divides the two nations under their government, is equal to that of his Britannic Majesty; but as the zeal on both sides should be alike, at the same time that the Most Christian King shall send M. Buffly to London, he hopes that the King of Great Britain will send an English Minister to France, to treat concerning the same objects with his Ministry. His Most Christian Majesty expects the answer of his Britannic Majesty on the contents of this memorial, in order to expedite and receive the reciprocal and necessary passports.

By the order and in the name of the King my Master,
Signed Duc de Choiseul.

Mr. Pitt's answer contained a new memorial on the part of England, in which their arguments with respect to the epochs were far from being just: for, altho' France proposed, by the memorial of the 26th of March, to negotiate with respect to the epochs, it was not the less certain, that the proposition of *Uti possidetis* was connected with those epochs, whether the Courts agreed that they should be distant or near. In fact, if it should happen that they could not agree in that particular, it was evident that the proposition of *Uti possedetis* dropped with the negotiation.

Mr. Pitt's letter to the Duke de Choiseul.

Monfieur,

Whitchall, 28th April, 1761.

I Have laid before the King my master the letter which your Excellency did me the honour to write to me the 19th of this month, as also the Memorial which was annexed to it.

His

His Majesty sincerely wishes to maintain an entire conformity of sentiments with his Most Christian Majesty, in relation to the uniform and direct method which it is proper to pursue in a negotiation equally delicate and important.

The King understands, Sir, with pleasure, that his Most Christian Majesty has made choice of the Count de Choiseul to represent him at the Congress at Augsburg, and that that Ambassador will repair to the destined town at the beginning of July; and the King has charged me to inform your Excellency, that he has nominated the Earl of Egremont, Lord Viscount Stormont, and Sir Joseph York, to represent him at the said Congress, and that his Ambassadors will likewise repair to Augsburg at the beginning of July.

It becomes me, on this subject, to acquaint your Excellency, that the regret of the King my master would not be less than that of the Most Christian King, to see the war continued in Germany, which is destructive to so many nations.

I annex to this letter a memorial, in answer to that of your Excellency of the 19th instant, in relation to the war in particular between Great Britain and France. It is true, Sir, the principle of removing misunderstandings is business, upon all occasions, cannot be too highly approved; therefore it cannot escape the observation of your Excellency, that at the beginning of an accommodation, unexpected alterations naturally have the effect of involving the overtures in obscurity and uncertainty, rather than so introducing that perspicuity and confidence, so indispensable in a negotiation between two such great powers. As the natural remedy against inconveniences of this nature seems to be the presence of reciprocal Ministers, who, treating by word of mouth, may give an explanation immediately on starting of a doubt, your Excellency will see by the memorial hereto annexed, the disposition of his Majesty in this respect.

I have the honour to be, with the most distinguished regard, &c.

Signed W. P I T T.

The Memorial of his Britannic Majesty of the 28th of April, 1761.

THE King of Great Britain, always influenced by the same desire of putting an end to the miseries of the war, which is unhappily kindled between Great Britain and France, has with pleasure concurred in every measure which tends to remove the obstacles which impede so salutary a work. It is with this view, that his Britannic Majesty will readily send Mr. Stanley to France, in the quality of his Minister, at the same time that the Most Christian King shall send Mr. Buffy to London.

As to what remains, his Majesty does not find by the memorial of the 26th of last month, made in the name of his Most Christian Majesty, that the ground of the proposition therein contained, concerning the reciprocal conquests, is necessarily connected with the periods proposed; quite on the contrary; it is expressly about those very periods that the Most Christian King offers to enter into a negotiation. These are the express words: "Nevertheless, as his Majesty may think that the proposed periods of September, July, and May, may be either too near or too distant for the interests of the British Crown, or that his Britannic Majesty should think proper that compensation should be made for the whole or part of the reciprocal conquests of the two Crowns; upon these two points, the Most Christian King will readily enter into a negotiation with his Britannic Majesty, when he shall be acquainted with his intentions."

It was in consequence of an offer so clearly expressed, and not capable of misconstruction, that his Britannic Majesty resolved to declare, that he was ready on his part to enter, with speed and sincerity, upon the proposed negotiation. The King of Great Britain, persevering in his intentions, renews his former declaration; and his Britannic Majesty, to leave no doubt with regard to his inclinations, has forwarded the passport hereto annexed, and will be glad to receive one immediately in return from the Court of France, that, by means of a treaty by word of mouth, as well with respect to the grounds of the dispute, as in relation to the epochs, as also in regard to the compensation

penfation which may be agreed on between the two Crowns, they may be better able on both fides to clear up doubts, and remove all ambiguities from the negotiation, which, in order to be effectual, fhould be conducted on both fides with fincerity, precision and expedition.

By the order, and in the name of the King, my Mafter,
Signed W. P I T T.

The paffports for Mr. Buffy being arrived, the King ordered thofe neceffary for Mr. Stanley to be expedited, and the difpatch of the refpective Minifters for the important negotiation on foot, was fettled by the letters here annexed.

Letter from the D. de Choifeul to Mr. Pitt.

S I R,

THE King, my Mafter, entirely adopts the principle advanced in the letter with which your Excellency honoured me on the 28th of laft Month, as likewise in the memorial thereto annexed, with refpect to the neceffity of difpatching refpective Minifters, in order to elucidate a number of difficulties, which it is impoffible to obviate by letters and memorials. I fhould neverthelefs have been proud of the honour of negotiating fo important an affair perfonally with your Excellency. No one has a higher confidence than myfelf in the integrity and the uncommon talents which your Excellency poffeffes, and I do prefume, that the intentions of the Kings, our mafters, being at once determined on peace, the fagacity of your Excellency, joined to my zeal for fo precious a bleffing, would have fmoothed all difficulties; but as our employs neceffarily keep us at a diftance from a perfonal negotiation, M. de Buffy, who is ufed to tranfact bufinefs with me, will fupply, near your Excellency, the defire I have of concurring in the falutary views of peace, which feem to animate all the belligerent powers. I entreat your Excellency to grant him your favour, and I am certain that he will ufe his utmoft endeavours to deferve it.

Your Excellency will fee by my private letter, to which his Majefty's paffports for Mr. Stanley are annexed, fome
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precautionary arrangements, which I propose to be settled in order to prevent the inconveniences which might arise on the first dispatch of the respective Ministers.

I have the honour to be, &c.

Signed Le Duc de CHOISEUL.

Another Letter from the Duc de Choiseul to Mr. Pitt, of the 4th of May, 1761.

I HAVE received the passport of the King of Great-Britain, which your Excellency did me the honour to send for M. Buffy, in quality of Minister of the King my master; and I send you in return his Majesty's passport for Mr. Stanley, whom his Britannic Majesty has been pleased to appoint in order to come to this court in the same capacity. I think it my duty, on this occasion, Sir, to make some observations, which seem to me necessary to warrant the execution of the commissions of those two Ministers.

1. The King thinks, that his Britannic Majesty will judge it convenient that the two Ministers should be charged with full power from the respective courts, to use upon occasion.

2. That the two Ministers should each of them have letters of credence from the Kings their masters, which they shall deliver to the Secretaries of State only; that is to say, in France, to the Minister and Secretary of State for the department of foreign affairs; and in England, to the Minister and Secretary of State for the Southern department.

3. As his Majesty's intention is, that the English Minister shall enjoy the same privilege in France, as if the two courts were in the midst of peace, as well with regard to the common intercourse of life, as in maintaining a correspondence with the court of England and the other courts of Europe, and lastly, for the dispatch of his couriers, and with respect to all the prerogatives and franchises in general incident to his character; his Majesty relies, that M. Buffy will absolutely enjoy the same rights, prerogatives, franchises, and liberties, at London; it being understood, nevertheless, that when one or the other are about to dispatch their couriers to their own or any other court,

court, they shall be obliged to require a passport from the Secretary of State in that department, which shall not be refused to them, any more than the necessary vessel to transport their couriers from France to England, and from England to France.

4. We desire to know when Mr. Stanley will be ready to leave London in order to repair to Calais, in order to direct M. Buffy's journey, so that he may repair to Calais at the same time, to be transported to England in the same vessel which brings Mr. Stanley over, if that is agreeable to the court of Great-Britain: if not, the King will keep a vessel in the port of Calais, which shall transport M. Buffy to England, in which case it will be proper to know what kind of vessel his Britannic Majesty will chuse to bring Mr. Stanley to Calais.

I believe your Excellency will find these observations proper, and that you will send me your answer as soon as possible.

Mr. Pitt's Answer to the Duke de Choiseul, of the 11th of May, 1761.

S I R,

THE King my master has learnt with real satisfaction, by the letter which your Excellency did me the honour to write of the 4th of this month, that the sentiments of the most Christian King are conformable to those of his Majesty with respect to the mutual dispatch of the Ministers from the two courts.

I hope your Excellency will be persuaded, that I have a lively sense of the value of those obliging sentiments with which you have been pleased to honour me, and that, conscious as I am of your superior qualities, which have engaged the approbation of every court, I perceive in its full extent, how flattering a circumstance it would have been for me to have had the honour of treating personally with your Excellency upon so interesting an object, and to have shared with you, in point of zeal for the prosperous conduct of the peace, the satisfaction of co-operating more immediately to give the people assurance of the effects of the salutary dispositions of the Kings our masters. I shall, nevertheless,

nevertheless, take real pleasure, upon all occasions, to pay the respect due to M. Bussy's character, as well as to his mérit; and I can assure you, Sir, that the happiness, which that Minister has had, of being used to transact business with your Excellency, is an additional circumstance, which cannot but interest me extremely in his behalf.

I am persuaded, that Mr. Stanley, who is descended from an illustrious family, and who entertains noble sentiments, will use all his endeavours to merit the honour of your Excellency's esteem, and he wishes to be recommended to your favour.

You will see, Sir, by my private letter, the reflections which have occurred in relation to the precautionary arrangements, which your Excellency proposed to settle, and I hope that no farther impediments will remain on this subject. I have the honour to be, &c.

Signed W. P I T T.

*Another Letter from Mr. Pitt to the Duke de Choiseul,
of the 11th of May, 1761.*

S I R,

I HAVE received the three passports, which your Excellency has done me the honour to transmit for Mr. Stanley, in quality of Minister from the King my master, and I in return transmit to you a second, which his Majesty has granted for the vessel which the most Christian King shall think proper to order for transporting M. Bussy into England; and I annex the order to the officers of the customs, for the free importation of the effects and baggage of the said Minister.

As to what relates, Sir, to the observations which you thought yourself obliged to make; to warrant the execution of the commission of those two Ministers, it is with great satisfaction I assure your Excellency, that the King, in conformity with the sentiments of his most Christian Majesty, is of opinion,

1. That the two Ministers should be charged with ample power from the Kings their masters, to make use of as occasion shall offer.

2. That

2. That the two Ministers ought, each of them, to have letters of credence from their Majesties, which they shall not need to deliver but to the Secretaries of the respective States, in the manner specified by your Excellency.

3. It is the intention of his Majesty, that M. Buffy should absolutely enjoy in England the same rights, prerogatives, franchises, and liberties, as if the two courts were in the midst of peace, and which Mr. Stanley, in pursuance of the intention of his most Christian Majesty, is to enjoy in France; and that as to the dispatch of couriers, as well as every thing else which concerns the two Ministers, the tenor of the third article of observations relative to this head, shall be observed in every respect.

As to what remains, concerning the time of the departure of the said Ministers, as also concerning the manner of their crossing the sea, the King is of opinion, that, in order to obviate all difficulties, Mr. Stanley and M. Buffy may respectively repair to Dover and Calais, to cross the sea each of them in a vessel appertaining to their own nation, which the Kings their Masters shall keep ready for that purpose in the two ports aforesaid. It is in confidence of this disposition, that I am obliged to acquaint your Excellency, that the King will dispatch Mr. Stanley from London, so that he may reach Dover on the 23d of this month, unless we learn that a time so near at hand should be inconvenient to the court of France; and the King my master relies, with full confidence, in M. Buffy's repairing to Calais on the aforesaid day, that the two Ministers may cross the sea without delay, as far as the circumstances of wind and navigation will permit them. I will add to your Excellency, that Mr. Stanley will make use of a packet-boat from Dover, and that M. Buffy may cross from Calais to England in whatever vessel his most Christian Majesty shall judge convenient.

I flatter myself, that your Excellency will find that these arrangements will equally facilitate the method of the two Ministers repairing to their reciprocal destinations without inconvenience.

I have the honour to be, &c.

Signed W. P I T T.

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The courts in alliance with France, without opposing this negotiation with the court of London, expressed great uneasiness at the reciprocal dispatch of the two Ministers: they were encouraged, however, by the promise which the King made to them, of communicating, with the utmost confidence, a detail of the several objects which should be treated of, either at London or Versailles. In the declaration made to them on the part of the King, they at once admired his Majesty's steadiness to his engagements, and that generosity, with which he determined to sacrifice his personal interests, in order to come to a speedy and firm reconciliation with England.

M. Buffy set out for London: his instructions were extremely simple: the basis of them regarded the proposition *Uti Possidetis*, and he was enjoined,

1. To demand of the British Minister, whether the King of England accepted of the periods annexed to the proposition of *Statu Quo*, and if his Britannic Majesty did not accept of them, what new periods he proposed to France?

2. To declare to the court of London, That the war, which the King waged against England, was entirely distinct from that of the Empress-Queen against the King of Prussia, and that consequently, except as to Wesel and Gueldres, which appertained to her Imperial Majesty, the King was at liberty to cause his forces to evacuate Gottingen, Hesse, and the county of Hanau, but that his Majesty made this evacuation to depend on two conditions: first, That the court of England should give proper security, that the army commanded by Prince Ferdinand should be disbanded, and not serve against the King's allies. Secondly, That his Britannic Majesty would agree on some restitution which should be judged reasonable on the part of England, as a compensation for the French troops evacuating Gottingen, the Landgraviate of Hesse, and the county of Hanau.

Mr. Stanley arrived at Marly at the same time that Mr. Buffy arrived at London. The English Minister, at the very first conference, declared in the name of his court, that the King his Master would support his allies with *efficacy and good faith*, [These were the terms he made use of.]

of.] The King's Minister, who conferred with Mr. Stanley, answered him by a declaration equally precise, with respect to his Majesty's intention to fulfil his engagements with regard to the allies of France: but as the peace between the Empress Queen and the King of Prussia was to be negotiated at the congress at Augsbourg, which was fixed for the pacification of Germany, the D. de Choiseul observed that the differences between her Imperial Majesty and the King of Prussia were by no means the subject on which the French and English Ministers were reciprocally dispatched.

The subsequent conferences passed in discussing the periods fixed in the memorial of the 26th of March; but the English Minister, both at London and Paris, eluded giving any positive answer on that subject.

It is necessary to observe, that the British court had resolved on the enterprize against Belleisle, since the memorial of the month of March. The expectation of success from that expedition, no doubt, retarded, on their part, a categorical answer in relation to the epochs.

Mr. Pitt, being pressed on that subject by M. Bussy, had shewn himself averse from declaring any thing decisive; on which his Majesty wrote to his Minister at London, to elucidate and fix precisely the basis of the negotiation, relative to the *Uti Possidetis* and the epochs, and by that means to accelerate the negotiation of peace. The island of Belleisle was taken: Mr. Pitt then gave M. Bussy the memorial here annexed.

*The Memorial of the British Minister, of the 17th
of June, 1761.*

MR. Stanley having represented by his letter of the 8th of June, that the D. de Choiseul, in the course of their conferences, had agreed, "That the epochs must still remain a matter of negotiation, but that his Excellency nevertheless was of opinion, that in the present state of that affair, according to the natural and usual course of things, his most Christian Majesty having already named the 1st of September, July and May, his Britannic Majesty should proceed, either by accepting of those days, or
by

by naming others more agreeable to his intentions, which were probably regulated by preparations and designs, of which the court of France was ignorant; that this method appeared to him more likely to expedite the business, than the making of reiterated propositions on their part, which could only be grounded on mere conjecture." It is upon this footing, that, in order to make a return to the above invitation on the part of France, as well as in consequence of his Majesty's having accepted the proposition of the said court of the 26th of March last, his Majesty offers to agree with the most Christian King, that the first day of July, September and November following; shall respectively be the different periods or epochs, to fix the *Uti Possidetis* which France has proposed to make the basis of the treaty which may be negotiated between the two powers. All other conquests made beyond those periods shall be mutually restored. But as his Majesty is of opinion, that epochs which have no reference to the actual signature of something obligatory between the two crowns, must necessarily be only a vain illusion, void of use or reality; or that it might even happen, that in the end they may prove the source of intricate disputes, and dangerous and captious altercations; and the King having no other view but to concur with the upright intentions of his most Christian Majesty, in accelerating and confirming the blessing of peace to both nations, his Majesty only offers to agree to the aforesaid epoch, on the two following conditions:

1. That every thing, which shall be happily adjusted between the two crowns, in relation to their particular war, shall be made obligatory, final, and conclusive, independent of the fate of the negotiation at Augsbourg, which is to compose and terminate the disputes of Germany, and to re-establish a general peace.

2. That the said definitive treaty of peace between Great-Britain and France shall be concluded, signed and ratified, or preliminary articles to that end, between this and the first of August next.

The restitution of the prizes taken at sea shall be regulated according to the respective terms which are usual for different parts of the globe; which terms are to be computed

puted from the day of the signature of the said definitive treaty, or of preliminary articles of peace, in case a ratification ensues.

The King, desiring farther to facilitate the salutary work of peace, as far as reason and justice will permit, declares, moreover, that with regard to Belleisle, his Majesty will agree, in the said future treaty, to enter into compensation for that important conquest.

With regard to farther compensations for any part of the other conquests made by the crown of Great-Britain, his Majesty reserves himself, till he shall learn what are the most Christian King's desires in that respect, which when he shall know, his Majesty will open himself with perfect sincerity and good faith.

We see by this memorial, the epochs which England required to determine the *Uti Possidetis*, were farther distant by two months than those offered by France; and it was evident, that as the enterprize against Belleisle had determined England to defer her answer with regard to the epochs, so the success of that expedition had made them resolve to fix the term of July for Europe, specified in the English memorial, instead of May, which was proposed by the French memorial.

England made the epochs she assigned depend on two conditions. The first of those conditions departed both from the letter and the spirit of the memorial of the 26th of March: for although France had proposed to treat of a peace separately with England; nevertheless his Majesty's intention was not regulated by this principle of the negotiation, that peace could be concluded with England, without providing for the peace of Germany. In fact, the memorial of the 26th of March, from which the court of England drew such advantageous arguments, opened with this expression, "The most Christian King is desirous that the particular peace of France with England should be united with the general peace of Europe."

The second condition, with respect to discussing and settling the articles, so that they might be signed and ratified by the 1st of August, was very difficult to be fulfilled in regard to a war, which extended over the four quarters,

of the globe, this condition proposed by England not being known to France till the end of June.

France returned no specific answer to the memorial of the court of London; but verbally acquiesced, as far as possible, to the second condition: and with regard to the first, the King required the consent of the court of Vienna, to conclude a separate peace with England. This consent was necessary, since, from the beginning, as is before-mentioned, it was agreed between her Majesty and his allies, that they should treat of peace separately; but that all the belligerent parties should come to a conclusion together.

Though the Empress Queen was perfectly sensible of the prejudice which the alliance might sustain by a negotiation in Germany, at a time that France was at peace with England; yet her Imperial Majesty, to oblige the King, agreed, on this occasion, to sacrifice her own interest to the desire which his Majesty expressed for the establishment of peace. This princess consented to the separate accommodation of France with England, upon this express and equitable condition, that nothing should be therein stipulated, which might be contrary to the interest of the House of Austria.

The conclusion of the British memorial contained a proposition for France to make some overtures with regard to the compensations. The King availed himself of this intimation, and ordered a memorial to be prepared, including specific propositions, which put the negotiation in a proper train, and fixed its basis on express and determinate points.

France was perfectly sensible how disadvantageous it was to her, to make her enemies acquainted with the favourable conditions which it was agreed to allow them, in order to succeed in the re-establishment of peace: she was conscious, that it was just and reasonable for France, who made the first proposition of *Uti Possidetis*, to wait till England explained herself concerning the compensations: but she flattered herself, that England was sincerely desirous of re-establishing the union between the two crowns; and the advantages, which would redound to England from the offers of France, were so visible and extensive, that there was no suspicion that the court of London would
increase

increase the difficulties of a negotiation, which France was zealous to terminate without delay, and to the satisfaction of the two powers.

Before a memorial of propositions was sent in form to the court of London, his Majesty's Minister, entrusted to confer with M. Stanley, gave him previous assurances of the sacrifices which his Majesty had resolved to make. He authorized him to write word, that France would guaranty the possession of Canada to England, provided that England would restore to the King the island of Cape Breton, and confirm the right of the French to fish, and dry their fish, in the gulf of St. Lawrence, upon the coast, and in the island of Newfoundland. As the island of Cape Breton, if fortified, might afford England matter of jealousy, the French Minister told Mr. Stanley, that the King engaged to destroy all the fortifications which might remain in that island, and not to erect any new ones upon any pretence whatever. The port of Louisbourg being to be considered only as a shelter for the fishermen in the gulf of St. Lawrence, and on the coast of Newfoundland, France offered to restore the island of Minorca to England, provided they would give up the islands of Guadaloupe and Marigalante in return.

With regard to the East-Indies, they proposed that the treaty of the Sieurs Godeheu and Saunders, made in the year 1755, should be confirmed. That treaty, although advantageous to the English company, was judged to be most effectual for maintaining peace between the two companies, and to recal them to views of commerce much more analogous to their reciprocal interests, than prospects of conquests, which had hitherto kept them at variance.

With respect to Africa, France required that England should restore either Senegal or Goree, and on those conditions the King declared that he would evacuate Gottingen, Hesse, and the county of Hanau, would withdraw his forces upon the Rhine and the Maine, and would leave no French troops in Germany, but in proportion to what troops of the enemy remained assembled in the British army at Westphalia.

Mr. Stanley took notes of these overtures, which were made by the D. de Choiseul, who told him moreover, that

the propositions made to the English Minister could only be considered as intimations of conditions which might possibly be agreed to, and as preliminary steps to the memorial which France determined to transmit to the court of London in form, if the points discussed in the conference of the Duke de Choiseul with Mr. Stanley should be thought proper to serve as a basis for the negotiation of peace.

The answer from England arrived the 30th of June. Mr. Stanley had a conference with the Duke de Choiseul respecting this answer; and in the course of that conference he stated three difficulties on the part of his court. The first concerned Cape Breton. England absolutely refused to cede that island to France, even upon the condition, that no military establishment whatever should be kept on foot there. Mr. Stanley intimated, that his court had no intention of restoring any island or port in the gulf of St. Lawrence, or within reach of that gulf. He added, that England would make no difficulty of allowing the liberty of fishing and drying the fish on the shores and coasts of Newfoundland; but that this would be granted on condition that Dunkirk was demolished, as it was stipulated to have been by the treaty of Utrecht.

Till this moment no mention had been made of Dunkirk, either in what had passed by word of mouth, or in writing, with relation to the peace between the two crowns.

In fact, it was unjust to insist on this article, since the court of London, having had this principle established, in treating of peace, to adhere to the memorial of *Uti Possidetis* of the 26th of March; they could not pretend that the present state of Dunkirk was comprized in the *Uti Possidetis* of France.

The liberty of fishing, and the shelter without fortifications, was the compensation for the cession of all Canada, and of the guaranty which France offered to make to England of that considerable part of North America. The restitution of the island of Minorca was certainly equivalent to the cession of Guadaloupe and Marigalante; and the evacuation of Hesse and the other countries appertaining to the Elector of Hanover and to the Landgrave, was compensated by the restitution of Senegal and Goree, and Belleisle,

Belleisle, which had been conquered since the Memorial of the 26th March, and after the proposition of the epochs proposed in that memorial.

Besides, France had declared, at the time of taking Belleisle, that she did not understand that conquest was to have been an object of compensation, and that she thought the keeping of Belleisle would be more expensive than profitable to England.

Mr. Stanley, in opposing the cession of Isle Royal to France, absolutely refused the restitution of Senegal and Goree, pretending that Senegal could not be securely maintained without Goree; in the end, he insisted on the demolition of Dunkirk as a condition absolutely necessary. The article relating to Germany was not negotiated on his part; and after several conferences it was agreed that France should prepare a memorial of specific propositions, which should be sent to England. The memorial was drawn, and is here annexed.

The French Memorial, 15th July, 1761.

THE negotiations of peace entered upon between France and England, have proved that the Sovereigns sincerely wish to re-establish that union and amity, so agreeable to humanity, between the two Crowns; and the resolution in which the King concurs, in conjunction with his Britannic Majesty, to terminate by a precise and durable treaty, the differences which have occasioned the present war, has determined his Majesty, always maintaining the spirit and letter of the declaration of the 26th March last, in relation to the means of procuring peace, to explain more precisely by this memorial, the conditions which appear to him most proper to accomplish the desirable end which influences him as well as the King of England.

But the King declares at the same time, that he entrusts this proposition with the King of Great-Britain, that if it should not be accepted by his Britannic Majesty, or should not serve as a basis for the negotiation of the future peace, the Court of London shall in no circumstances take advantage of it, the said proposition made in confidence to the

King of Great Britain having no other object than the accelerating of a negotiation in which the two Crowns are so much interested.

The *Uti Possidetis* expressed in the declaration of the 26th March, is adopted on both sides; it would be difficult for either party to reject it; for though it was not expressed, it is properly according to what they possess only either lawfully or by conquest, that the parties can negotiate together concerning peace, and the compensations requisite for that purpose.

The periods of the *Statu Quo*, which form the second essential article in the declaration of the 26th March, and which have remained in negotiation between the two Courts, have not yet been settled. The Court of France has proposed the epochs of May, July and September; that of England has proposed the epochs of July, September and November. That question will be determined without farther negotiation, if the scheme of the following treaty is adopted by the Court of London, for then all the epochs will be valid, as that of the peace will unite the sentiments and opinions of the two Kings.

It is the compensations therefore which will determine the epochs and the peace, and it is to settle them that his Majesty proposes the following articles to the King of Great Britain.

Article I. The King cedes and guaranties Canada to the King of England, such as it has been and in right ought to be possessed by France, without restriction, and without the liberty of returning upon any pretence whatever against this cession and guaranty, and without interrupting the crown of England in the entire possession of Canada.

II. The King, in making over his full right of sovereignty over Canada to the King of England, annexes four conditions to the cession. First, that the free exercise of the Roman Catholic religion shall be maintained there, and that the King of England will give the most precise and effectual orders that his new Roman Catholic subjects may, as heretofore, make public profession of their religion; according to the rites of the Roman Church.

Secondly,

Secondly, that the French inhabitants or others, who have been subjects of the King in Canada, may retire into the French colonies with all possible freedom and security; that they may be allowed to sell their effects, and to transport their property as well as their persons, without being restrained in their emigration, on any pretence whatever (except for debt;) and the English government shall engage to procure them the means of transportation at as little expence as possible.

Thirdly, that the limits of Canada, with regard to Louisiana, shall be clearly and firmly established, as well as those of Louisiana and Virginia, in such manner, that after the execution of peace, there may be no more difficulties between the two nations, with respect to the construction of the limits with regard to Louisiana, whether with respect to Canada, or the other possessions of England.

N. B. M. Buffy has a memorial on the subject of the limits of Louisiana, which gives him power to come to a final treaty on that article with the Ministry of his Britannic Majesty.

Fourthly, that the liberty of fishing, and of drying their cod-fish on the banks of Newfoundland, may be confirmed to the French as heretofore: and as this confirmation would be illusory, if the French vessels had not a shelter in those parts appertaining to their nation, the King of Great Britain, in consideration of the guaranty of his new conquests, shall restore Isle Royal, or Cape Breton, to be enjoyed by France in entire sovereignty. It is agreed, to fix a value on this restitution, that France shall not, under any denomination whatever, erect any fortifications on the island, and shall confine herself to maintain civil establishments there, and the port for the convenience of the fishing vessels landing there.

III. France shall restore to England the island of Minorca, and Fort St. Philip, in the same condition it was in when it was conquered by the King's forces, together with the artillery belonging to England, which was in the fort at the time of taking the island.

IV. In consideration of this restitution, England, in her turn, shall restore to France the island of Guadaloupe and

Marigalante; and those two islands shall be ceded in the same condition they were in at the time they were conquered by the arms of England.

V. The islands called neuter, are Dominica, Saint Vincent, Saint Lucia, and Tabago. The two first are occupied by the Caribees, under the protection of France, according to the treaty of 1660: they shall remain in the condition they have been since that treaty.

The Crown of England has not yet shewn any title, which gives them a right over the two last; nevertheless, it shall be a matter of negociation between the two crowns, either that the four islands shall remain absolutely neuter, or that the two possessed by the Caribbees alone shall be declared neuter; and that England shall enter into possession, as sovereign, over the island of Tabago, in the same manner as France over that of St. Lucia, saving, at all times, the right of a third person, with whom the two crowns will explain themselves, if such a right exists.

VI. It would be advantageous for the companies of the two nations in the East-Indies, to abstain for ever from all military views and conquests, to restrain themselves, and mutually to assist each other in the business of commerce, which more properly belongs to them. The precise situation in which the two nations stand, is not known in France: wherefore the King, in order to confine himself, in that respect, to the object most useful, both for the present and hereafter, to the two companies, proposes to the King of England the treaty concluded between the Sieurs Godeheu and Saunders, as a basis for the re-establishment of the peace of Asia.

VII. The colonies of South America, in possession of the French, necessarily require negroes to cultivate them; the French settlements of Senegal and Goree supplied the wants of the French colonies in this respect. England, in keeping those settlements, would prejudice France, without procuring any positive advantages for herself; and the union which the two Sovereigns so sincerely wish to establish between the two Crowns, leaves no room to suppose that the Court of London has any such intentions of mischief. Nevertheless, France, with a view to the blessings of peace, offers England the choice of the possessions
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of Senegal or Goree, meaning that one or the other possession shall be restored and guarantied to the King by his Britannic Majesty.

VIII. The Island of Belle-Isle and the fortress conquered by the arms of England shall be restored to France, together with the artillery therein at the time of the conquest.

IX. In consideration of the 8th Article to be granted by England, the King will cause his forces in Germany to evacuate the Landgraviate of Hesse, the county of Hanau, as well as the town, which shall not be occupied by the troops of either power, leaving the navigation of the Maine free, and those parts of the Electorate of Hanover occupied by the French troops; and these evacuations shall be preceded by a suspension of arms between the two Crowns, which suspension of arms shall take place from the day of the ratification of the preliminaries, or the article of the definitive treaty, not only in Germany, but in all parts of the world where France and England are at war.

X. As the King is under an engagement with the Empress Queen, to stipulate nothing in his treaty of peace with England which may be disadvantageous to her Imperial Majesty, and as it was foreseen that, in case of a suspension between the French and British forces, the German troops in the pay of England might join those of the King of Prussia against the Austrian armies, the King, faithful to his engagements with his allies, and very far from intending to settle any thing to her prejudice, proposes to the King of England, that it may be agreed between them, that his Britannic Majesty will undertake that no part of the forces which compose Prince Ferdinand's army, shall, under any pretence whatever, or under any denomination, join the army of his Prussian Majesty, or act offensively against the Empress Queen or her allies; and in like manner, no French forces, under any pretence, shall join the Imperial army, or serve against the allies of Great Britain. To ascertain these positions, it shall be farther concluded, that after these evacuations, the army of the Upper Rhine, commanded by Marshal Broglie, shall retire towards the Maine, the Necker and
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the Rhine, occupying Francfort; and that of the Lower Rhine commanded by Marshal Soubise, shall on the other side, retired towards the Rhine, occupying Wesel and Guelders.

The countries belonging to the King of Prussia, on the Lower Rhine, have been conquered, and are actually governed in the name of the Empress Queen: the King would not undertake to evacuate them without the consent of her Imperial Majesty, and before the success of the negotiations at the Congress at Augsbouurg, which is to restore peace between the Empress and the King of Prussia; but as it would be disadvantageous to the two Crowns to maintain a considerable body of national forces in Germany, which, in time of peace, would remain in absolute inactivity, and, by the conventions of the treaty, would become useless in every respect to the allies of France and England, the King undertakes, that, from the time that his Britannic Majesty do recal the English whom he has sent to his army in Germany, he will cause double the number of French forces in his Majesty's armies on the Upper and Lower Rhine to return to France, so that no French troops shall continue in those parts, but in proportion to those which the King of England shall keep in pay.

XI. If before the execution of the treaty, one of the two powers should make any conquests, in whatever part of the world it be, they shall be restored without hesitation, and without requiring any recompence.

XII. The captures made at sea by England before the declaration of the war, are objects of legal restitution, and which the King will willingly submit to the justice of the King of England and the English tribunals; in fact, subjects, who under the faith of treaties, the law of nations, and in time of peace, follow their trade and navigation, cannot with justice become sufferers by the misunderstandings subsisting in the cabinets of the two Courts, before they have any intimation of it. Declarations of war are established by the law of nations, for no other purpose, but to make public to the people the contests between their Sovereigns, and to give them warning, that their persons and fortunes are in danger from an enemy.

Unless

Unless such declaration is agreed upon, there can be no public security; every individual would be in danger, or in fear, every moment that he stepped beyond the limits of his own country. If these principles are incontestible, nothing remains but to examine the date of the declaration of war, between the two Crowns, and the date of the captures; all that has been taken prior to the declaration, cannot be adjudged lawful prize, without overthrowing the most salutary laws; it will be in vain to alledge that the French began hostilities, and that the captures were taken by way of reprizal. What connection can there be between supposed hostilities offered at Fort Duquesne, and the capture of trading vessels in the south part of America? These hostilities are the motives for the declaration of war; but the effects of that declaration cannot take place, till after the said declaration is made public; and it would be unjust to make individuals sustain a loss, who are totally ignorant of the facts and circumstances of a latent hostility in a corner of the world, which has occasioned a general war between the two nations.

This argument is deemed unanswerable in France; and it is on this footing that the King challenges the right of nations, to the end that some expedient may be agreed upon in the future treaty as a recompense for the captures made upon his subjects previous to the declaration of war, without entering into any discussion about reprizals, which should be forgotten when the two Courts draw near to an agreement. France consults nothing but the interest of the individuals who have been sufferers, and does not pretend to include the King's ships taken before the declaration in the settlement of the captures, as the loss of the King's ships may be considered as a consequence of the motives of the war.

XIII. Though, during the course of the present war, the article of former treaties which guaranty the succession to the Throne of Great Britain, according to the present establishment, has not been infringed, nevertheless the King is well disposed to comprize that guaranty in the future treaty, if the King of England desires it.

XIV. The prisoners made on each side, as well by sea as land, shall be set at liberty, and sent home without ransom, immediately on the ratification of the peace.

His Britannic Majesty will readily perceive, that these articles are not drawn in the form of a treaty; they are only offered to him as articles explained in their full extent, which elucidate the sentiments of France, and put the two Crowns in a condition to treat upon certain and distinct objects.

This memorial was sent to London on the 15th of July. The date is mentioned, because the British Ministry reproached the French Ministry with having delayed the dispatch of the memorial; and it is proper to observe, that the last answer from England did not reach France till the 1st of July; that there was a necessity of having several conferences with Mr. Stanley, to form the scheme of a treaty, which comprehended the precise discussion of objects in every part of the world where the two Crowns are at war, and which was to produce the re-establishment of peace, or the continuance of the war. The reproach of a delay of fifteen days, upon so interesting a business, was certainly an instance of injustice.

However that point be settled, it is submitted to the discernment and justice of all Europe to determine, whether the memorial of France of the 15th July did not confirm the principles of reconciliation, which had hitherto appeared in every step taken by that Crown. The Court of France acted with such integrity, in the confidence she reposed in the pacific disposition of England, that having sacrificed considerable interests, she carried her forecast so far, as to intimate to the Court of London her apprehensions lest the matters which remained to be discussed between Spain and England, and which were not yet adjusted, should in the end prove an obstacle to the duration and solidity of the peace which the King and his Britannic Majesty were desirous of re-establishing between them.

In consequence of these apprehensions, M. Bussy had orders to remind the Court of London, with respect to the subject of the neutral Islands, specified in the 20th article of the memorial, that his Catholic Majesty made some claims upon those Islands, with which the Court of Madrid had recently made that of Versailles acquainted. The French Minister was charged at the same time to represent to Mr. Pitt, how dangerous it would be to deter-

mine the fate of those Islands, without paying regard to the claims of his Catholic Majesty. M. Buffy was ordered to add, that it was evident that the Court of Spain would agree to the settlement which should be made between France and England, in relation to the four Islands in question, provided that the three articles negotiated at London on the part of the Court of Madrid, were adjusted at the same time that the peace with France should be concluded there; and to testify a sincerity as laudable as it was perfect, M. Buffy was charged to annex to the memorial of propositions, the particular memorial which follows relative to Spain.

*The private Memorial of France, of 15th July, 1761,
relating to Spain.*

AS it is essential, and agreeable to the desire of France and England, that the projected treaty of peace should serve as a basis for a solid reconciliation between the two Crowns, which may not be liable to be interrupted by the interests of a third power, and the engagements which either one or the other may have entered into previous to their reconciliation, he proposes that the King of Spain shall be invited to guaranty the future treaty of peace between his Majesty and the King of Great Britain. This guaranty will obviate all present and future inconveniences with regard to the solidity of the peace.

The King will not disguise from his Majesty, that the differences of Spain with England fill him with apprehensions, and give him room to fear, that, if they are not adjusted, they will occasion a fresh war in Europe and America. The King of Spain has communicated to his Majesty the three articles which remain to be discussed between his Crown and the Crown of Britain: which are,

1. The restitution of some captures which have been made during the present war upon the Spanish Flag.
2. The privilege for the Spanish nation to fish upon the Banks of Newfoundland.
3. The demolition of the English settlements made upon the Spanish territories in the Bay of Honduras.

These

These three articles may be easily adjusted agreeable to the equity of the two nations; and the King earnestly wishes, that some accommodations may be thought on, to the satisfaction of the Spanish and English nations, with regard to these articles; but he cannot disguise from England the danger he apprehends, and of which he must necessarily partake, if these objects, which seem nearly to concern his Catholic Majesty, should be the occasion of a war: His Majesty, therefore, deems it a principal point of consideration in concluding a firm and advantageous peace, that, at the same time that that desirable point shall be concluded between France and England, his Britannic Majesty should terminate his differences with Spain, and agree to invite his Catholic Majesty to guaranty the treaty which is to reconcile (pray Heaven for ever) his Majesty and the King of England.

As to what remains, his Majesty does not intimate his apprehension in this respect to the Court of London, but with the most sincere and upright intentions to obviate every impediment which may arise hereafter to disturb the union of the French and English nations; and he desires his Britannic Majesty, whom he supposes influenced by the same good wishes, freely to communicate his sentiments on so essential an object.

The precaution of France to ensure the solidity of the peace, comprized every object which could conduce to that end. The succours which his Majesty and the King of England afforded their allies in Germany, left a source of war still subsisting, and an expence detrimental to both nations. The King judged, that the most natural means to put an end to the disputes which the succours to be afforded their respective allies might produce, would be to come to an agreement between France and England, that France, on her part, should not yield any kind of succour to the Empress-Queen, and in like manner, that England should be bound not to furnish any assistance to the King of Prussia. It would have been a violation of good faith to have stipulated this withdrawing of all succour, without the consent of the allies. The King required the consent of the Empress-Queen, and obtained it early enough, for

M. Buffy to transmit the following note to the British Minister relative to that object, at the same time that he gave him the Memorial of the French propositions, and that which related to Spain.

M. Buffy's Note to Mr. Pitt.

SINCE the memorial of the propositions from France was formed, and at the instant that the courier was ready to set out for London, the King received the consent of the Empress Queen to a separate peace with England, but upon two conditions :

1. To keep possession of the countries belonging to the King of Prussia.

2. That it shall be stipulated, that the King of Great Britain, neither in his capacity of King or Elector, shall afford any succour, either in troops, or of any kind whatever, to the King of Prussia ; and that his Britannic Majesty will undertake that the Hanoverian, Hessian, Brunswickian, and the other Auxiliaries in alliance with Hanover, shall not join the forces of the King of Prussia, in like manner as France shall engage, on her part, not to yield succour of any kind to the Empress Queen, nor her allies.

Both these conditions appear so natural and equitable in themselves, that his Majesty could not do otherwise than acquiesce in them, and he hopes that the King of Great Britain will be ready to adopt them.

Upon reading these vouchers with attention, it may be observed, that the memorial containing the propositions, clearly explains the means of reconciling France and England with respect to their particular interests ; and that the note, No. XIX. removes all obstacles which the succours to be given to the allies in Germany might throw in the way of a reconciliation between the two Crowns. In fact, what could be more just and advantageous both to France and England, in the circumstances in which they stood, than wholly and absolutely to withdraw from the war in Germany. Lastly, in order to prevent the flames of war from breaking out afresh in Europe, which the complaints

complaints of Spain might re-kindle, and in which France, sooner or later, would have been forced to have taken part; nothing could be deemed more discreet than the proposition contained in the memorial, No. XVIII. more especially as that proposition was the natural result of the good offices which his Catholic Majesty had offered to the Crown, the preceding years, in order to mediate peace between them, which kind offices had been accepted on the part of France by an authentic declaration, which had not then been opposed by England.

M. Bussy laid these several pieces before Mr. Pitt on the 23d of July. They had been previously communicated to Mr. Stanley, to the end that that Minister might transmit a circumstantial account of them to his court, and that the English Minister might be apprized of the objects included in the dispatch, and might be able to confer with M. Bussy thereupon without loss of time. The King had even transmitted very minute instructions to his Minister at London, which contained fresh expedients for reconciling the differences of France with England, in relation to the respective possessions of the two Crowns in America, Africa, and Asia. His Majesty had foreseen that the taking of Pondicherry, of which an account came but a few days before, might occasion some alteration which it might be necessary to obviate by fresh sacrifices, if such should be deemed expedient; but the English Minister, in the conference at which the pieces were laid before him, discovered his personal opposition to peace: he refused to agree to any of the articles in the memorial of propositions; he entered very little into the particular motives of his opposition; he expatiated with some warmth on the memorial which related to Spain; rejected the note which concerned the allies in Germany with disdain; and concluded with saying, That he would take the directions of the King his Master, with respect to those two last pieces, and that he would transmit to Mr. Stanley the answer of his Britannic Majesty to the propositions of France. In consequence of this, Mr. Pitt, having returned M. Bussy the memorials concerning Spain and Germany, wrote a letter to him on the 24th of July, conceived in the following terms.

Mr.

Mr. Pitt's Letter to M. Buffy, 24th July 1761.

S I R,

HAVING explained myself, in our conference yesterday, with respect to certain engagements of France with Spain, relative to the disputes of the latter Crown with Great Britain, of which your court never informed us, but at the very instant of making, as she has done, her first propositions for the separate peace of the two Crowns; and as you have desired, for the sake of greater punctuality, to take a note of what passed between us upon so weighty a subject, I here repeat, Sir, by his Majesty's order, the same declaration, word for word, which I made to you yesterday, and again anticipate you with respect to the most sincere sentiments of friendship and real regard on the part of his Majesty towards the Catholic King, in every particular consistent with reason and justice. It is my duty to declare farther to you in plain terms, in the name of his Majesty, That he will not suffer the disputes with Spain to be blended, in any manner whatever, in the negotiation of peace between the two Crowns; to which I must add, That it will be considered as an affront to his Majesty's dignity, and as a thing incompatible with the sincerity of the negotiation, to make farther mention of such a circumstance.

Moreover, it is expected that France will not, at any time, presume a right of intermeddling in such disputes between Great Britain and Spain.

These considerations, so just and indispensable, have determined his Majesty to order me to return you the memorial which occasions this, as wholly inadmissible.

I likewise return you, Sir, as totally inadmissible, the memorial relative to the King of Prussia, as implying an attempt upon the Honour of Great Britain, and the fidelity with which his Majesty will always fulfil his engagements with his allies.

I have the honour to be, &c.

Signed P I T T.

The style of this letter, and the manner of returning the memorials, do not bear the marks of that conciliating temper,

temper, by which the Court of England would hitherto have been thought to have been influenced.

The answers to the Memorial of the French propositions, which were remitted to Versailles on the 29th July, are extremely analogous with Mr. Pitt's Letter; they are dictated with an air of haughtiness and despotism, which might have shocked a Court of less consequence than that of France. The follow word for word.

The Answer of the British Court to the Memorial of French Propositions. 29th July, 1761.

A Paper of Articles to be delivered to Mr. Stanley, as the definitive propositions from the Court of Great Britain.

1. **H**IS Britannic Majesty will never recede from the entire and total cession on the part of France, without any new limits, or any exception whatever, of all Canada and its appurtenances; and his Majesty will never relax, with regard to the full and compleat cession on the part of France, of the Isle of Cape Breton, and of all the other Islands in the Gulph or in the River of St. Lawrence, with the right of fishing, which is inseparably incident to the possession of the aforesaid Coasts, and of the Canals or Streights which lead to them.

2. With respect to fixing the limits of Louisiana, with regard to Canada, or the English Possessions situate on the Ohio, as also on the Coast of Virginia, it can never be allowed that whatever does not belong to Canada shall appertain to Louisiana, nor that the boundaries of the last Province should extend to Virginia, or to the British possessions on the borders of the Ohio; the nations and countries which lie intermediate, and which form the true barrier between the aforesaid province, not being proper, on any account, to be directly or by necessary consequence ceded to France, even admitting them to be included in the limits of Louisiana.

3. Senegal, with all its Rights and Dependancies upon the River which bears its name, shall be ceded to Great Britain in the most full and ample manner; as also the Island of Goree, so essentially connected with Senegal. . .

4 Dunkirk

4. Dunkirk shall be reduced to the condition in which it ought to have been after the Treaty of Utrecht, without which no peace can be concluded; and upon that condition only can his Majesty ever consent to enter on the consideration of the demand which France has made, viz. The restitution of the privilege granted by the thirteenth article of the said treaty, with certain limitations and under certain restrictions, for the subjects of France to fish and dry their fish on part of the Banks of Newfoundland.

5. Though the titles by which the Kingdom of Great Britain has, on many occasions, maintained its right to the Islands of St. Lucia and Tabago, have never yet been refused; and though his Majesty by force of arms has acquired possession of St. Dominica, and of the French Colony established before the commencement of the war; nevertheless his Majesty, from that principle of moderation, which is so becoming to Kings, will consent to an equal partition of the four Islands, commonly called the Neutral Islands, which partition shall be regulated in the ensuing treaty.

6. The Island of Minorca shall be immediately restored in the condition it was at the time of its being taken, together with the artillery, &c. appertaining to that island.

7. France shall immediately restore and evacuate the conquests she has made over his Majesty's Allies in Germany; that is to say, of all the States and Countries appertaining to the Landgrave of Hesse, to the Duke of Brunswic, and to the Electorate of Hanover, as also of Wesel, and of all the places and territories belonging to the King of Prussia, in possession of the arms of France. In a word, France shall make a general evacuation of all her conquests, on the side of Hesse, Westphalia, and its countries.

8. The King of Great Britain on his part, agrees to surrender to his Most Christian Majesty, 1. The important conquest of Belle-Isle. 2. His Majesty likewise consents to surrender to the Most Christian King the opulent island of Guadaloupe, with that of Marigalante.

9. The Treaty concluded between Messrs. Saunders and Godeheu, cannot be admitted as the basis of the re-establishment of the peace in Asia, because that provisional

treaty has had no consequences, and because those provisions are by no means applicable to the present state of affairs in the Indies, by the final reduction of the possessions and settlements of the French company in the East-Indies; but as the perfect and final settlement with regard to that country can only be made in conformity to certain rights absolutely appertaining to the English company, and as the King cannot justly dispose of their rights without their consent, it must necessarily be left to the Companies of the two nations to adjust the terms of accommodation and reconciliation, according to those rules of reason and justice, which the state and circumstances of their affairs may require, and mutually point out; provided nevertheless, that those conditions are not repugnant to the designs and equitable intentions of their Sovereigns for the peace and reconciliation of the two Crowns.

10. The demand of the restitution of the captures at sea before the declaration of war cannot be admitted; such a claim not being founded on any particular convention; and by no means resulting from the law of nations, as there is no principle more contestible than this, viz. that the absolute right of all hostile operations does not result from a formal declaration of war, but from the hostilities which the aggressor has first offered.

11. As the indispensable care which is due from his Majesty to his people, and the just and invincible motives which concern the preservation and security of his kingdoms, authorized by the most formal stipulations of solemn treaties (viz. those of Radstadt, and the Barriere) and even by the express and irrevocable conditions of the cession of the Low Countries, will not allow France to retain possession of Ostend and Newport, the two places aforesaid shall be evacuated, without delay, by the French garrisons; it is for this reason declared, that the restitutions spoken of in the preceding Articles of this Memorial, and particularly the convention which is to be framed and regulated with respect to the Indies, cannot take place till the aforesaid evacuation of Ostend and Newport shall be faithfully executed.

12. The cessation of arms between the two crowns shall be fixed and take place on the day of the ratification of the preli-

preliminaries, or of the definitive treaty, and all the Articles relative to the cessation of hostilities, shall be settled and take place, according to common usage in such cases, and as the circumstances in different parts of the world shall require.

13. His Majesty having, from the first overtures made on the part of France, declared, that in case the separate peace between the two crowns should be concluded, his Majesty would continue, as an auxiliary, faithfully to assist the King of Prussia, with efficacy and good faith, in order to accomplish the salutary purpose of a general pacification in Germany; it shall be free to Great Britain and France, to support, as Auxiliaries, their respective Allies, in their particular contests for the recovery of Silesia, pursuant to the respective engagements which those Crowns have entered into.

14. The prisoners taken on one side and the other, both by sea and land, shall be released in the usual manner, saving the terms which may exist by virtue of some cartel or some convention, which may have relation to this particular.

These Articles are not digested into the form, nor in the detail of Articles of peace; but it is hoped that, with regard to essential points, this Memorial has that precision and perspicuity which leaves nothing doubtful, and which evidently demonstrates the sincerity and perseverance of his Majesty's disposition, with respect to his intentions and resolutions for the accomplishment of so great a blessing as that of an entire peace between the two crowns.

The first article of this sketch entirely deprived the French of the liberty of fishing for cod; and the demolition of Dunkirk required in the 4th article, only restored this liberty in part, with certain limitations, and under certain restrictions, which were not explained.

From the second article, one might infer that England pretended, not only to keep an exclusive possession of all Canada, but also to make herself mistress of all the Neutral Countries between Canada and Louisiana, to be nearer at hand in order to invade the last Colony when she shall think proper.

The third Article confirmed the entire possession of the African Coast in favour of the English, and deprived the French of all Settlement in that part for the Negro trade.

The ninth entirely annihilated the French East India Company.

The seventh and thirteenth did not appear conclusive. In fact, by the first, England proposed that France should evacuate Germany, and in the second she agreed, that the two Crowns should support their Allies in that part of Europe.

These Answers, and all those which England has made in the course of the negociation, evidently manifest that the Court of London is averse to all reconciliation.

The Articles which declare the Advantages which England would secure, are clear, decisive, and even dictatorial; those which concern the interests of France, are obscure, subject to various constructions, and leave a train of discussions, which, by leaving the source of the war still subsisting, would still have redounded to the prejudice of France, if she had agreed to admit the claims of England.

These reflections did not escape his Majesty's penetration. Nevertheless his Majesty unwilling to take upon himself the rupture of a Negotiation, which, on his part, proposed the welfare of mankind, he ordered a reply to be made to the Answer from England, Article by Article, in the following Memorial, in the form of an *Ultimatum*.

Ultimatum of France in reply to that of England, of 5th of August, 1761.

Ultimatum of the Court of France, as a Reply to the Ultimatum of the Court of England, remitted to the D. de Choiseul by Mr. Stanley.

THE King renews the Declaration which he made to his Britannick Majesty, to the Memorial of Propositions for Peace, which has been transmitted to M. Stanley, and to which the Court of England has given no Answer, either by word of mouth or in writing: his Majesty again declares, that if the Negotiation entered into at Paris and at London, for the re-establishment of Peace between the two Crowns, has not the desired success, all the

Articles

Articles agreed to that Negotiation by France, cannot be represented, on any occasion, as settled points, any more than the Memorial of the month of March last, relative to the *Uri Possideis*.

1. The King consents to cede Canada to England in the most extensive manner, as specified in the Memorial of Propositions; but his Majesty will not recede from the Conditions he has annexed to the same Memorial relative to the Catholic Religion, and to the power, facility, and liberty of emigration for the ancient subjects of the King. With regard to the Fishery in the Gulph of St. Laurence, the King means to maintain the immemorial right which his subjects have of fishing in the said Gulf, and of drying their fish on the Banks of Newfoundland, as it was agreed by the Treaty of Utrecht. As this Privilege would be granted in vain, if the French vessels had not some shelter appertaining to France in the Gulf; his Majesty proposed to the King of Great Britain, the restitution of the Island of Cape Briton; he again proposes, either that Island, or St. John, or such other Port, without Fortification, in the Gulf, or within reach of the Gulf, which may serve the French as a shelter, and secure to France the liberty of fishing, from whence his Majesty has no intention to recede.

2. The King has in no part of his Memorial of Propositions, affirmed that all which did not belong to Canada, appertained to Louisiana; it is even difficult to conceive such an assertion could be advanced. France, on the contrary, demands that the intermediate Nations between Canada and Louisiana, as also between Virginia and Louisiana, shall be considered as neutral Nations, independant of the Sovereignty of the two Crowns, and serve as a barrier between them. If the English Minister would have attended to the Instructions of M. Bussy on this subject, he would have seen that France agreed with England as to this proposition.

3. No Answer has been given by England to the plain argument, That if Senegal cannot be enjoyed in security without Goree, England will make no great sacrifice, in keeping Goree, and restoring Senegal to France. Upon this Article, Mr. Stanley has acquainted the D. de Choiseul,

feul, that ſome expedients may be agreed on between the two Crowns : In conſequence of which, his Maſteſty, out of regard to the bleſſing of peace, has authorized M. Buſſy to treat concerning theſe expedients with the Britiſh Miniſtry.

4. The Court of London, when they mean to ſecure, in purſuance of his Maſteſty's conſent, the conqueſts they pretend to maintain, readily rely on the Memorial of *Uti Poſſidetis* ; but they take no notice of that Memorial when they advance claims at the expence of France. It cannot be denied but that the ſtate of the Town of Dukirk is not included in the *Uti Poſſidetis*.

According to the Treaty of Utrecht, the Demolition of Dunkirk was not aſſented to, as a compenſation for the liberty of drying Codfiſh on the Banks of Newfoundland ; it is the Ceſſion of Newfoundland, on the part of France, which is the ground of that Compenſation : but the King, to teſtify to all Europe, his ſincere deſire of peace, and to remove all obſtacles which the Enemies to Peace may throw in the way, authorizes his Miniſter at London to negotiate concerning the ſtate of Dunkirk, ſo ſoon as a convenient port ſhall be agreed upon in the Gulf of St. Lawrence, or within reach of the Gulf, which ſhall be ceded to France, to ſerve as a ſhelter for her fiſhing veſſels.

5. France has reſuted the title of England to the Antilles, which are pretended to be neutral : His Maſteſty nevertheleſs, from a principle of moderation, accepts of the partition of the ſaid Iſlands ; but ſuch partition cannot take place but in the form ſpecified in the firſt Memorial of the French propoſitions.

6. It ſeems as if England, by her propoſitions, offered the Iſland of Belleiſle as a compenſation for the Iſland of Minorca : As France does not allow the importance of the conqueſt of Belleiſle, the two Courts will retain their ſeveral opinions ; England ſhall maintain her conqueſt, and France ſhall keep Minorca.

7. France is willing to evacuate, in conſideration of the reſtitution to be made by England of the Iſland of Guadeloupe and Marigalante, the countries belonging to the Landgrave of Heſſe, to the Duke of Brunſwic, and to the Eleſtorate of Hanover, which are or ſhall be occupied by his

his Majesty's forces, and of which the conquest is connected with the British War, since the rupture of the capitulation of Closter Seven, and which may be separated from the War of the Empress-Queen with the King of Prussia.

But as to what concerns Wesel, Gueldres, and other countries in Westphalia, belonging to the King of Prussia, which are actually in possession of the Empress-Queen, and where justice is administered in the Name of her Imperial Majesty, the King cannot stipulate to surrender the Conquests of his Allies; and such an evacuation, neither in fact nor by right, can take place, without the consent of the Empress-Queen, at the Congress of Augsburg; that Congress being to assemble, in order to terminate the differences which have arisen in the Empire, and particularly those which have occasioned the War between her Imperial Majesty and the King of Prussia.

8. The King accepts on these Conditions; and in consideration of the Cessions made by France, in North America and Africa, as well as in regard to the settlement of Dunkirk, the restitution of the Island of Guadaloupe and of Marigalante.

9. The French East-India Company have fulfilled the conditions of the Treaty made between Mess: Godeheu and Saunders: That of England has not observed the same punctuality. However that may be, the King is willing to acquiesce in the 9th Article of the *Ultimatum* of England; in relation to Asia.

10. The King persists, with regard to the Captures made before the War, in the contents of the 12th Article of the first Propositions. M: Bussy is authorized to deliver a Memorial expressly on this subject; and every one is persuaded in France, that this Object neither can nor ought to break off the Negotiation between the two Crowns.

11. The Empress-Queen enjoys full Sovereignty in the towns of Ostend and Neuport; the King has only lent his forces to his Ally, to secure those places. England has no right to impose laws upon the King and the Empress, contrary to the will of the King and of her Imperial Majesty, who do not in the least violate the Treaties of the
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House of Austria with the States General. As to what remains, his Majesty readily declares, that his intention never was to keep possession of the said places after the establishment of peace.

12. The 12th Article of the *Ultimatum* of England does not seem liable to any difficulties, while the terms of the intended Suspension shall be observed and maintained with sincerity.

13. In Answer to the Declaration made by Mr. Stanley, that in case of a separate Peace between France and England, his Britannic Majesty would constantly continue, in the capacity of an Auxiliary, to aid his Ally the King of Prussia with all his power, and with the utmost integrity, in order to accomplish the happy issue of the War, and the pacification of Germany, the D. de Choiseul, in the name of the King, his Master, has declared to Mr. Stanley, that his Majesty, with the same view to the general pacification, will also support his faithful Allies with all his forces, and to the utmost of his power, and will take every precaution which his approved sincerity and integrity shall suggest to him, in order to prevent the separate peace of France with England, from being prejudicial to them.

It is in consequence of these sentiments, that the King, with the consent of his Allies, is willing to stipulate, that he will grant no succour of any kind to his Allies for the continuance of their War against the King of Prussia: but his Majesty neither can nor will enter into such an engagement, unless his Britannic Majesty will enter into the like agreement with respect to the King of Prussia.

The Proposition of leaving France at liberty to send forces into Silesia, is unfavourable, from particular circumstances, to the interests of the Empress, and consequently inadmissible.

The King, therefore, persists in the Propositions contained in the 10th Article of his first Memorial. All that can be negotiated with respect to these points, must be the liberty of affording succours in money to the respective Allies, so soon as it shall be positively ascertained that no power shall be at liberty to furnish them any supplies of men, or warlike stores, under any denomination whatever.

14. The

14. The King accepts the 14th article of the *Ultimatum* of England.

It is hoped that the Court of Great Britain, will allow the precision of the answers to their *Ultimatum*, as well as the readiness with which the King endeavours, even to his prejudice, to use all means to bring about a reconciliation with the King of Great Britain.

M. Buffy, on presenting his *Ultimatum*, accompanied it with the following letter, in answer to that of Mr. Pitt, of the 24th of July.

Mr. Buffy's Letter to Mr. Pitt, 5th August, 1761.

S I R,

I Have acquainted my Court with the letter of the 24th of last month, with which your Excellency honoured me, on returning the memorial I laid before you, in relation to the interests of the Court of Spain with respect to England, and the note which I thought it my duty to communicate, with regard to the intention of the King my Master, concerning the necessary steps to put a stop to hostilities in Germany.

The King, Sir, orders me to acquaint your Excellency, that as to what relates to the interest of the Catholic King, his Majesty's precaution expressed in the memorial which I remitted to you, is in consequence of that sincerity which he professes constantly to adopt in the course of all his negotiations. The memorial which your Excellency has returned me, neither contains any menaces, nor any offer of mediation. No other sentiment can be inferred from it, than that of the sincere desire which his Majesty entertains, that the projected peace between France and England, may be firm and durable. Moreover, the King refers himself to his Catholic Majesty concerning the manner in which this memorial was received and remitted; but his Majesty has charged me to declare to your Excellency, that so long as Spain shall approve of it, his Majesty will interfere with the interests of that Crown, without desisting on account of a repulse from the power who opposes his good offices.

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With respect to the matter of the note, likewise returned by your Excellency, and which relates to the two necessary conditions of the proposed expedient for evacuating the countries subdued by his Majesty's arms; his Majesty explains himself fully on that article in the *Ultimatum*, in answer to that of the Court of London. His Majesty has ordered me to declare further to you in writing, that he will rather sacrifice the power which God has given him, than conclude any thing with his enemies, which may be contrary to the engagements he has contracted, and that good faith in which he glories. If England will undertake to yield no succour to the King of Prussia, the King will engage, on the other hand, to afford none to his allies in Germany. But his Majesty will not adopt the liberty of succouring his allies with a supply of men, because he is sensible of the disadvantage which the present situation of the armies might occasion to the Empress Queen. His Majesty may stipulate not to act for the benefit of his allies, but he neither can or will consent to any condition which may be detrimental to them.

It remains for me to observe to your Excellency, how greatly my court was astonished, as well at the stile of the letter you wrote to me, as at the *Ultimatum* of England. This stile, which is so little conformable to the propositions of France, betrays the aversion of the Court of London to peace. The King, who is very far from insisting on forms, when the happiness of Europe is at stake, has used every endeavour, in the answer to the *Ultimatum*, which, without injury to the honour of his Crown, were judged most effectual to recall the British Court to sentiments of pacification: your Excellency will judge, from the *Ultimatum* of France, that I am ordered to acquaint you with what facility the King, forgetting the imperative stile, so unfit for negotiation; which England makes use of in her answers, enters into the views of the British Court, and endeavours, by the sacrifices he makes, to engage them to adopt the stipulations of a reasonable peace.

If your Excellency is desirous of having a conference with me on the subject of the *Ultimatum*, I will attend your commands, and I shall be very earnest to testify the disposition

disposition of my Court, to make a happy issue of the negotiation on foot, as also the peculiar regard with which, &c.

Signed De B U S S Y.

At length, as the British Ministry had seemed to resent the memorial relative to Spain, his Catholic Majesty authorized his Ambassador at London, the Count of Fuentes, to remit the following note to Mr. Pitt, which is the interpretation of the memorial.

Note of the Spanish Ambassador to Mr. Pitt.

THE most Christian King, who wishes to make the peace, concerning which he proposed to treat with England, at once effectual and durable, entrusted his intentions with the King my Master, expressing the pleasure with which he embraced that opportunity of acknowledging his sense of the reiterated offers which his Catholic Majesty had made both to him and England, in order to facilitate a just and lasting reconciliation.

It is from these principles of sincerity that the most Christian King proposed to the King my Master the guaranty of the treaty of peace, as a measure which might be equally convenient to France and England, and at the same time assured him of his sincere intentions with respect to the sacrifices he proposed to make, in order to restore tranquility to Europe, by an honourable and lasting peace.

Such a proceeding of his most Christian Majesty could not but be highly acceptable to the King my Master, who found it agreeable to his own sentiments, and to his desire of fulfilling on his part, with the most distinguished conformity, all the connections which unite them both by ties of blood and their mutual interest; and moreover, he perceived in the disposition of the King of France, that magnanimity and humanity which are natural to him, by his endeavours, on his side, to render the peace as permanent as the vicissitudes of human affairs will admit of.

It is with the same candor and sincerity that the King my Master expressed in confidence to the most Christian King, that he wished his Britannic Majesty had not made
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a difficulty of settling the guaranty, on account of the grievances of Spain with England, as he has all the reason to conclude that his Britannic Majesty has the same good intentions to terminate them amicably, according to reason and justice.

The confidence which the King my Master reposed in France, gave that Court room to testify to his Britannic Majesty the sincerity of their intentions for the re-establishment of peace, since, by proposing the guaranty of Spain, they expressed their sincere desire of seeing the interests of Spain settled at the same time, which might one day rekindle the flames of a new war, which at present they wish to extinguish.

If the intentions of the most Christian King and the King my Master did not seem fraught with sincerity; the King my Master flatters himself, that his Britannic Majesty will do him the justice to consider his in that light, since, if they were founded on any other principle, his Catholic Majesty giving full scope to his greatness, would have spoken from himself, and as became his dignity.

I must not omit to inform you, that the King my Master will learn with surprize, that the memorial of France could raise a sentiment in the breast of his Britannic Majesty, entirely opposite to the intentions of the two Sovereigns.

But his Catholic Majesty will always be pleased, whenever he sees that they make that progress which he has ever desired, in the negociation of peace, whether it be separate between France and England, or general; as his sincere wishes are to make it perpetual, by obviating every source which might hereafter unhappily renew the war.

For this reason, the King my Master flatters himself that his Britannic Majesty, animated with the same sentiments of humanity towards the public tranquillity, will express the same intentions of terminating the disputes of England, with a power which has afforded such reiterated proofs of her friendship, at the same time that it is proposed to restore peace to all Europe in general.

The King ordered M. Buffy, by the instructions which were sent to him with the *Ultimatum*, to agree to the
cession

cession of Canada, in the full extent which England desired it, so that the fishery on the coast and in the Gulf of St. Lawrence was maintained to France, and that England would appoint a port in that part, which might be subject to the sovereignty of his Majesty, and serve the French fishermen for a shelter.

M. Bussy had in charge to agree upon the limits of Canada and Louisiana, according to the English map, though very unfavourable to the rights and possessions of France. With regard to Africa, the King's Minister was authorized to consent to the cession required by England, so that the exportation of negroes might be confirmed to France by some expedients equally easy and sure; and his Majesty made the sacrifice of Dunkirk, in compensation of the security of fishing in the Gulf of St. Lawrence, in favour of his subjects.

As to what concerns Asia, the King authorized M. Bussy to agree that the French and English India companies, should adjust their respective interests among themselves, upon condition that they suspend hostilities during the negotiation, and that the advantages on either side should be considered as a compensation with regard to the respective interests of the two Crowns.

The King insisted, in the instructions he sent to his Minister at London, upon the article respecting the restitution of the French vessels taken before the war by the English marine. His Majesty's love for his subjects would not allow him to omit any thing to alleviate the distresses which several towns in his kingdom sustained by means of those illegal captures. M. Bussy had even orders to present the following memorial on that subject.

Memorial concerning the Vessels taken before the War.

Concerning the reclaim of the Prizes made before the Declaration of the War.

THE reclaim of the captures made by the English before the declaration of war, is founded on the treaties of Utrecht and Aix la Chapelle.

It is not necessary to contest the principle that the right of exercising hostilities does not always result from the formality

nalilty of a declaration of war ; but as it is impracticable for two Princes who make war on each other, to agree between them which is the aggressor with regard to the other, equity and humanity have dictated these precautions, that where an unforeseen rupture happens suddenly, and without any previous declaration, foreign vessels, which, navigating under the security of peace and of treaties, happen at the time of the rupture to be in either of the respective ports, shall have time and full liberty to withdraw themselves.

This wise provision, so agreeable to the rules of good faith, constitutes a part of the law of nations, and the article of the treaty which sanctifies these precautions ought to be faithfully executed, notwithstanding the breach of the other articles of the treaty, which is the natural consequence of the war.

The Courts of France and Great Britain used this salutary precaution in the treaties of Utrecht and Aix la Chapelle ; in the first, by the nineteenth article of the treaty of peace, and in the second of the treaty of Commerce : in the second, by the third article which renews and confirms the first.

If these treaties allow a protection to the respective subjects who may have ships in the ports of either of the powers, because, having no opportunity of knowing that a rupture has fallen out, they sailed under the security of peace and under the faith of treaties ; by a parity of reason, all the other subjects who are not inhabitants of the respective ports, who have ships at sea, should enjoy the same security for their vessels, in whatever part of the sea they should be sailing, otherwise it would follow, that the Sovereigns provide for the preservation of one part of their subjects from the miseries of a sudden rupture, to which they expose the rest, which is absolutely repugnant to the humanity of Sovereigns, and contrary to right reason.

It is upon this principle that the King of France restored to England the English Vessels which were found in the ports of France, at the time of the rupture, or taken at sea before the declaration of war.

If his Majesty had not caused those vessels to be restored, his Britannic Majesty might have alledged that he retained the

the French vessels by way of reprisals ; but the punctuality of France in conforming to the treaties of Utrecht and Aix la Chapelle, and to the principles resulting from thence, give England no pretence for refusing to fulfil engagements which are reciprocal.

The Court of France therefore does not doubt but that the Court of England will agree to order the restitution of the ships taken by the English from the French, before the declaration of the war.

The King likewise ordered his Minister to represent, with its full force, the utility which would redound to the two Crowns by the total desertion of the war in Germany. His Majesty moreover required M. Bussy, after having used his utmost endeavours to persuade the British Ministry to acquiesce in propositions so advantageous to England, to wait for fresh instructions, if the Court of London should refuse the conditions offered in the *Ultimatum* of France, the King being resolved to carry his compliance as far as possible, in order to inspire the King of England with pacific dispositions.

The *Ultimatum* of France, of the 5th August, arrived at London the 8th of the same month : M. Bussy wrote to Mr. Pitt : that Minister returned him the following answer on the 15th.

Mr. Pitt's Letter to M. Bussy, 15th August, 1761.

S I R,

I Made the King my Master acquainted with the memorial, which, by the order of his most Christian Majesty, you accompanied the *Ultimatum* of the Court of France : his Majesty perceives from these two pieces, with that regret with which the love of peace inspires him, that the happy moment to put an end to so many miseries is not yet come.

As to what relates to the stile of the *Ultimatum* of England in answer to the memorial of propositions from France, as likewise of the letter which I addressed to you by his Majesty's order, upon returning the two papers relative

lative to Spain and the King of Prussia, as totally inadmissible, the King orders me to acquaint, you, Sir, that his Majesty adheres both to the form and substance of those two pieces, in which his dignity concurred with his justice and good faith, leaving all the world to judge which of the two Courts have shewn an aversion to peace during the course of the negotiation; whether it be that Court, which from a principle of candour, not by way of assuming an imperative tone, has always endeavoured to give open answers, in order to shorten delays, by obviating misunderstandings, and to avoid the reproach of having acted deviously even with an enemy; who, in the conditions of peace, so far from making an ill use of her prosperity, has not even insisted on all those rights which the *Uti possidetis*, and the memorial of France of the 26th March, gave her, who, moreover, proposes, that after the conclusion of peace between the two Crowns they shall respectively be at liberty, with regard to the contest concerning Silesia, to fulfil the engagements they have contracted with their allies; it belongs therefore, Sir, to Europe to judge whether this is the Court which has shewn an aversion to peace, or whether it is not that, which after so many variations and delays on her part, arbitrarily continues to insist on objects in America, which we have a right to by the *Uti Possidetis*, and which would make a direct attempt on the essential rights of our conquests of Canada and its appurtenances, in the Gulf of St. Lawrence; which, in Germany, not only refuses to give up her conquests, gained over his Majesty's Allies, as a just compensation for the important restitutions with which his Majesty is willing to accommodate France, but even pretends to impose an obligation on his Majesty not to fulfil the engagements of his Crown towards the King of Prussia; which moreover, not satisfied with throwing so many insuperable obstacles in the way to peace, has not scrupled to interpose new perplexities in opposition to this precious blessing, for which the nations sigh, by intermixing, too late, matters so foreign to the present Negotiation between the two Crowns, as are the discussions between Great Britain and Spain.

Such, Sir, being the conduct of the two Courts, the King perceives with regret that the peace so much desired

is far distant, and that at this very moment the Court of France is willing to intrust it to the uncertain fate of farther events.

If this is the intention of France, his Majesty relies on the same Providence, which has hitherto blessed his arms, and the sincerity of his intentions towards peace; and hopes, that the course of events, accomplishing what his Majesty's moderation has in vain attempted, will recal the Court of France to a more favourable disposition.

Nevertheless, Sir, although I am not at liberty to confer with you concerning the *Ultimatum* of your Court separately, yet if you desire, Sir, that we should have a conference on the two *Ultimatums* of our Courts together, I will be at your command when you think proper, that I may have the honour to learn what you have to communicate to me with respect to the intentions of your Court.

I have the Honour to be, &c.

Signed, W. P I T T.

Europe will be able to judge by the pieces contained in this Memorial, and which cannot be disavowed by the British Ministry, any more than their dates, whether France has used any delay in the negotiation, and whether she has varied from her propositions, and from the constant desire she has always expressed for the conclusion of peace.

Mr. Buffy's Answer to Mr. Pitt, 16th August, 1761.

S I R,

I Received the letter which your Excellency did me the honour to write to me on the 16th of this month. I will not undertake to discuss the principal object of it without submitting it to my Court, whether it is proper to make a reply, and what that reply should be. I will confine myself, Sir, to assure you that I accept, with pleasure, the offer your Excellency makes me of a Conference on the subject of the two *Ultimatums* of our Courts; as you are out of town, and as I would not trespass on the moments you devote to the establishment of your health, I refer myself to you entirely to appoint the day and hour when I may come to confer with you.

Nothing can be more true than the assurance I make to you of the respectful attachment with which you have inspired me, and with which I have the honour to be, &c.

Signed, DE BUSSY.

The many deliberations of the British court, and the delay, from the 8th to the 30th of the same month, of the answer to the *Ultimatum* of France, renewed the hopes of reconciliation between the two crowns. At length the answer came, and Mr. Stanley remitted on the first of September to the Duke de Choiseul.

The Answer of England to the Ultimatum of France, received the 1st of September, 1761.

The Answer of the British Court to the *Ultimatum* of the Court of France, remitted the 17th of August, by M. Bussy, Minister Plenipotentiary of the Most Christian King, to the Secretary of State of his Britannic Majesty of the Southern department.

THE Most Christian King having repeatedly declared, in the *Ultimatum* of the court of France, remitted to Mr. Pitt by M. Bussy, as well as in the Memorial of the propositions of peace, which was remitted by the Duke de Choiseul to Mr. Stanley, that, if the negotiation entered upon between the two crowns has not the desired effect, all the articles conceded in that negotiation by France, cannot be considered in any case as points agreed upon, any more than the Memorial of the month of March last, in relation to the *Uti possidetis*; the King declares, in return, that if the concessions his Majesty has made to bring about peace, should not be accepted by his most Christian Majesty, the important restitutions offered to France, as well as the other circumstances herein after expressed, cannot for the future be considered as given up.

I. The King will not desert his claim to the entire and total cession of all Canada and its dependencies, without any new limits or exceptions whatever; and likewise insists on the compleat cession of the island of Cape Breton, and of the other islands in the gulf and river of St. Laurence.

Canada,

Canada, according to the lines of its limits, traced by the Marquis de Vadreuil himself, when that Governor surrendered the said province by capitulation to the British General Sir J. Amherst, comprehends on one side the lakes Huron, Michigan and Superieur; and the said line drawn to the Red Lake, takes in, by a serpentine progress, the river Ouabachi, as far as its junction with the Ohio, and from thence extends itself along the latter river as far inclusively as its influx into the Mississippi.

It is in conformity to this state of the limits made by the French Governor, that the King claims the cession of Canada, a province which the court of France moreover has offered anew by their *Ultimatum* to cede to his Britannic Majesty, in the most extensive manner, as expressed in the Memorial of Propositions of Peace, of the 13th of July.

As to what concerns the public profession and exercise of the Roman Catholic religion in Canada, the new subjects of his Britannic Majesty shall be maintained in that privilege without interruption or molestation; and the French inhabitants, or others, who may have been subjects of the most Christian King in Canada, shall have full liberty and power to sell their effects, provided they dispose of them to the subjects of his Britannic Majesty, and to transport their property, as well as their persons, without being restrained from their emigration under any pretence whatever, (unless in case of debt, or for the breach of criminal laws) it being always understood, that the time granted for the said emigration shall be limited to the space of one year, to be computed from the day of the ratification of the definitive treaty.

II. As to what respects the line to be drawn from Rio-Perdido, as contained in the note remitted by M. Buffy of the 18th of this month, with regard to the limits of Louisiana, his Majesty is obliged to reject so unexpected a proposition, as by no means admissible in two respects.

I. Because the said line, under colour of fixing the limits of Louisiana, annexes vast countries to that province, which, with the commanding posts and forts, the Marquis de Vadreuil has, by the most solemn capitulation, incontestibly yielded into the possession of his Britannic Majesty, under the description of Canada; and that consequently,

however contentious the pretensions of the two crowns may have been before the war, and particularly with respect to the course of the Ohio, and the territories in that part since the surrender of Canada, and the line of its limits has been traced as aforesaid by the Marquis de Vandreuil, all those opposite titles are united, and become valid without contradiction, to confirm to Great-Britain, with all the rest of Canada, the possession of those countries on that part of the Ohio which have been heretofore contested.

2. The line proposed to fix the bounds of Louisiana cannot be admitted, because it would comprize in another part, on the side of the Carolinas, very extensive countries and numerous nations, who have always been reputed to be under the protection of the King, a right which his Majesty has no intention of renouncing; and then the King, for the advantage of peace, might consent to leave the intermediate countries under the protection of Great-Britain, and particularly the Cherokees, the Creeks, the Chicasaws, the Chactaws, and another nation, situate between the British settlements and the Mississippi.

III. The King refers to the third article of the *Ulimatum* of England concerning the cession of Senegal and its dependencies, as well as the island of Goree, in the most ample manner, as expressed in the said article; and his Majesty renews the declaration which has been made by Mr. Stanley, that if the court of France would suggest any reasonable expedient to provide themselves with negroes, which may not be too detrimental to the interests of the British subjects in Africa, he will willingly enter upon a discussion of this subject.

IV. The important privilege granted by the 13th article of the treaty of Utrecht, under certain limitations and restrictions, to the subjects of France, for fishing and drying their cod fish on a certain part of the banks of Newfoundland, has not been refused by Great-Britain, but connected with a reciprocal satisfaction on the part of France, with regard to the indispensable object of Dunkirk, which the King has required, and still requires: it is therefore on condition, that the town and port of Dunkirk shall be put in the condition it ought to have been in by the last treaty of Aix la Chapelle, that his Majesty consents

sents to renew to France the privilege of fishing and of drying their fish by virtue of the treaty of Utrecht, upon the aforesaid district of Newfoundland.

As to the demand which his most Christian Majesty has further made, that his subjects may fish in the gulf of St. Laurence, as also to have a port there *without fortifications*, and subject to the inspection of England, as proposed on the part of the D. de Choiseul in his conferences with Mr. Stanley on that head, which port should merely serve as a shelter to the fishing boats of the French nation which shall land there: the King, to manifest to his most Christian Majesty and to the whole world, the sincerity of his intentions with regard to peace, will consent,

1. To grant the French subjects the privilege of fishing in the gulf of St. Laurence, upon this express condition, that is to say; That the said French subjects shall abstain from that particular fishery on all the coasts appertaining to Great-Britain, whether on the Continent or on the islands situated in the said gulf of St. Laurence, which fishery the proprietors only of the said coasts have constantly enjoyed and always exercised; saving always the privilege granted by the 13th article of the treaty of Utrecht, to the subjects of France, to fish and dry their cod fish on a part specified on the banks of Newfoundland, which privilege is proposed to be renewed to France as aforesaid.

2. The King will consent to cede to his Majesty the isle of St. Pierre with its port, which isle, with respect to that part of Newfoundland situate between the bay of Placentia and the bay of La Fortune, stands east south east, and its port opens towards the north east, the interior part of which port is called Bourgway; the island of St. Pierre, which the King is willing to cede, is divided by a little streight from another island, known by the name of Maquelon or of Michelon, which lies to the north of the said isle of St. Pierre.

To the cession of the said isle, as above-mentioned, his Majesty annexes four indispensable conditions.

1. That France, on no pretence, nor under any denomination whatever, shall erect any fortifications, either in the said isle, or in its port, and that she shall not keep any

troops there, nor maintain any military establishment whatever.

2. That the said isle and the said port shall only serve as a shelter for the fishing vessels of the French nation, and that France shall not suffer the vessels of any other nation whatever to partake of the convenience of this shelter for the fishing boats.

3. That the possession of the isle of St. Pierre, as aforesaid, shall not be construed in any case to confer, transmit, or participate in any manner whatever the least right or power of fishing or of drying cod fish in any part of the coast of Newfoundland, beyond the district expressly stipulated and fixed for that purpose. by the 13th article of the treaty of Utrecht, that is to say, *a Loco Cape Bonavista nuncupato, usque ad extremitatem ejusdem Insulæ septentrionalem, indeque ad Latus occidentale recurrendo usque ad Lacum Pointriche appellatum.*

4. That in virtue of the cession of the said island as aforesaid, an English commissary shall be allowed to reside there, and the commander of the British squadron at Newfoundland shall be at liberty from time to time to inspect the said isle and the said port, to see that the stipulations above expressed are punctually observed.

V. The proposition of an alternative suggested by the court of France, in relation to the isles of Tobago, St. Lucia, Dominica, and St. Vincent, commonly called Neutral Islands, is by no means admissible. The King, however, from a principle of moderation, continues his inclination to agree to an equal partition of the said four islands, to be ascertained in the future treaty between the two crowns.

VI. The King consents to restore to his most Christian Majesty,

1. The important conquest of Belleisle, with the artillery, &c. which was therein at the time of taking the said island.

2. His Majesty likewise agrees to restore to the most Christian King the fertile and wealthy island of Guadaloupe, with that of Marigalante, with the artillery, &c. which was therein at the time of taking the said islands.

VII. The

VII. The island of Minorca shall be restored to his Britannick Majesty; as likewise Fort St. Philip, in the condition it stood, and with the artillery therein, &c. at the time of taking the said island and fort.

VIII. As to what regards the restitution and evacuation of the conquests made by France over the King's allies in Germany, and particularly of Wesel and the other territories of the King of Prussia, his Majesty persists in his demand relative to that subject in the 7th article of the *Ultimatum* of England; it being always understood, that all the places belonging to his Majesty's allies in Germany shall be restored, with the artillery, &c. found in them at the time of taking the said places.

IX. With regard to the succour to be afforded to the King of Prussia on the part of the British crown, as an auxiliary, after the conclusion of the separate peace between Great-Britain and France, his Majesty remains in the same inflexible resolution, which he declared at the first overture of the present negotiation, that he will never desist from giving constant succour to the King of Prussia, as an auxiliary, *with efficacy and good faith*, in order to attain the salutary end of a general pacification in Germany. With this view, his Majesty, far from proposing to leave France at liberty to send armies into Silesia, *without being limited to the number stipulated in her actual engagements with the court of Vienna*, (a circumstance not to be found in any part of the *Ultimatum* of England) has uniformly declared, as the 13th article of the said *Ultimatum* professes, that Great-Britain and France shall be at liberty to support their respective allies as auxiliaries, in their particular contest for the recovery of Silesia, according to the engagements entered into by each crown.

The King declares at the same time, that his Majesty has neither the intention nor the authority to take upon him to inhibit and forbid any foreign troops from entering into the service and pay of the King of Prussia, however his Majesty might be inclined to consent not to furnish, but by means of subsidy, those supplies which Great-Britain shall judge convenient to grant his Prussian Majesty, in pursuance of her engagements.

X. With regard to the captures made after the commencement of hostilities, and before the declaration of war, the King continues of opinion, that such a demand on the part of France is neither just nor maintainable, according to the most incontestible principles of the rights of war and of nations.

XI. Concerning the evacuations of Ostend and Nieuport, the King cannot but refer to the most express and irrevocable stipulation of the most solemn treaties, and expressed in the 11th article of the *Ultimatum* of Great-Britain, as also to his declaration relative to that subject: and his Majesty relies on the sincerity of the declaration on the part of France; that is to say, that “the intention of his most Christian Majesty never was to keep possession of the aforesaid places after the return of peace.”

XII. In regard to the cessation of hostilities, the King persists, in every respect, in the same intentions, declared in the 12th article of the British *Ultimatum*.

XIII. As to what concerns the French East-India Company, he can only refer to the 9th article of the *Ultimatum* of England, with regard to which no disagreement seems to subsist.

XIV. As to the prisoners of war, the two courts seem to agree perfectly on that head.

The court of France cannot but perceive from this answer, the sincerity of his Majesty's intentions, as well as the moderation which directs his Majesty towards the means of reconciliation with the most Christian King.

Signed H. STANLEY.

The D. de Choiseul had several conferences with the English Minister on the subject of this answer; but M. Stanley, in those conferences, as well as through the whole course of the negotiation, did not appear to be authorized by his court to come to any agreement with respect to the difficulties which occurred, nor even to elucidate those obscurities which occurred in the English answers, and particularly in the 9th article of the last answer from the court of London. As this Minister was confined to the letter of the answer given by his court, this circumstance absolutely

put a stop to all eclarcissement on these points, and took away every expedient for removing the obstacles of the negotiation. It was judged proper in France, in order to obviate these difficulties, to send a new Memorial to England, as a final answer to the court of London. This Memorial was sent to M. Buffy the 9th of September.

The last Memorial of France to England, the 9th of September, 1761.

The Memorial of France to the Answer of England, transmitted to the Duke de Choiseul the 1st of September, by M. Stanley the Minister of his Britannic Majesty.

THE King accepts the declaration of the King of England contained in the preamble of the Answer, and renews that which he before made to his Majesty on this head, in such manner that it is concluded between the two courts finally and without ambiguity, that if peace is not the result of the present negotiation, all that has been said, written and negotiated between the two crowns, since the Memorial of the 26th of March inclusive, to the moment of the rupture, shall be void and of no effect, and shall not be brought as an argument in favour of either of the parties, in any future negotiation of peace.

Article I. The King has declared in his first Memorial, and in his *Ultimatum*, That he will cede and guaranty to England the possession of Canada, in the most ample manner; his Majesty persists in that offer, and without discussing the line of its limits marked in a map presented by Mr. Stanley; as that line, on which England rests its demand, is without doubt the most extensive bound which can be given to the cession, the King is willing to grant it.

His Majesty had annexed four conditions to his guaranty: it seems that England agrees to them: the King only conceives, that the term of one year for the sale of the French effects, and for the emigration, is too short, and his Majesty desires, that it may be agreed to extend the term of one year to eighteen months at least.

As the court of England has added, to the first article of their Answer to the entire and total cession of Canada, as agreed

agreed between the two courts, the word *Dependencies*, it is necessary to give a specific explanation of this word, that the cession might not in the end occasion difficulties between the two courts with regard to the meaning of the word *Dependencies*.

II. The first paragraph, with respect to the limits of Louisiana, contained in the second article of the Answer from England, is agreed to by France. The second paragraph is neither just nor explicit, and it is finally proposed to express it in the following terms.

“The intermediate Savage nations between the Lakes and the Mississippi, and within the line traced out, shall be neuter and independent under the protection of the King, and those without the line on the side of the English shall be likewise neuter and independent under the protection of the King of England. The English traders also shall be prohibited from going among the Savage nations beyond the line on either side; but the said nations shall not be restrained in their freedom of commerce with the French and English, as they have exercised it heretofore.”

III. Although France is sensible how opposite it is to principles of conciliation, that the party which cedes should propose to the party who has conquered and would maintain the cession of possessions which are not perfectly known; though there is no doubt, but that the manner which England requires is liable to innumerable difficulties, nevertheless the King, to testify his acquiescence in every expedient which may conciliate the two crowns, is willing to declare to England, that he will guaranty the possession of Senegal and Goree to that crown, provided England, on her part, will guaranty the possession of the settlements of Anamaboo and Akra, on the coast of Africa.

The fourth article of the answer includes variety of objects, each of which requires a particular explanation.

England always endeavours to connect the liberty of fishing and of drying the fish on part of the coast of Newfoundland, granted by the 15th article of the treaty of Utrecht, with the ninth article of the same treaty, which stipulates the demolition of Dunkirk: it is given in answer to England for the fourth and last time, that those two stipulations of the treaty of Utrecht have nothing in common
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between them, unless that they are both comprized in the said treaty; and that the concession expressed in favour of the French in the thirteenth article of that treaty, is a compensation for the cession of Newfoundland and Annapolis Royal, made on the part of France to England by the twelfth and thirteenth articles of the same treaty.

But to the end that the two Courts may clearly understand each other on this head, and for the furtherance of peace, the King agrees to demolish the works which have been made for the defence of the port of Dunkirk since the beginning of this war, to fill up the basin which contains the ships of war, and to destroy the buildings belonging to the rope yard: but at the same time his Majesty will leave the trading port, which will not receive a frigate, subsisting for the good of England as well as for the benefit of France. She will also undertake not to suffer any maritime military establishment in that port; but the cunette shall be left standing round the place for the salubrity of the air, and the health of the inhabitants.

As to the fishery and the drying of fish on the Banks of Newfoundland, the King requires that the thirteenth article of the treaty of Utrecht be confirmed by the present treaty.

Concerning the condition proposed by England, with respect to the liberty of fishing in the Gulf of St. Lawrence, France agrees, that beyond the port of Newfoundland specified by the thirteenth article of the treaty of Utrecht, the French (unless in case of accidents) cannot land on the coasts appertaining to the English in the Gulf of St. Lawrence, whether to dry their fish, or to spread their nets on the said coasts; but without these two exceptions the French shall be at liberty to fish, without molestation, in all parts of the said Gulf of St. Lawrence.

With respect to the cession of the island of St. Pierre, the smallness of that island, and its situation near Plaisance, make the King of opinion that such a shelter will be illusory, and will rather serve to breed contests between the two nations, than to procure the accommodations for the fishery of the French subjects.

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The King had required the island of Cape Breton, or the island of St. John; his Majesty had even restrained himself to the little island of Conceau, and now makes the same proposition to his Britannic Majesty; or if the King of England, for reasons unknown to France, cannot agree to the cession of the isle of Conceau, it is proposed to add to the cession of St. Pierre, the islands of Maquelon or Michelon, two islands, of which one, which is St. Pierre, is but three leagues wide, and Michelon but two. However inconsiderable these two settlements may be, which do not properly make one, the King will accept of them, and will even oblige himself, 1. That neither in one or the other island, or in that of Conceau, if England cedes the latter, there shall be any military establishment; France will only maintain a guard of fifty men to enforce the police, which it will be necessary to maintain in those islands.

2. As far as possible, considering the weak guard of the police, the King will prevent all foreign vessels, even English, from landing at those Islands.

3. France does not pretend to fish and-dry their fish on the Coast of Newfoundland, but in pursuance of the stipulation of the 13th article of the treaty of Utrecht, provided it be understood that the French may fish and dry their fish on the Coasts of St. Pierre and Michelon.

4. Lastly, the Kings allows, that an English Commissary shall be resident in the said island, to be witness to the punctuality with which the stipulated condition of the treaty shall be observed.

The partition of the four neutral Islands must be specified between the two Courts in the preliminaries; France accepts the partition of those Islands proposed by England, provided that St. Lucia be declared to make part of the partition to be regulated in favour of France.

VI. The King, without entering into any discussion of the 6th article, agrees to this article as well as to the 7th.

VIII. The King, with regard to the 8th Article, refers to the 7th Article of his *Ultimatum*. It is not in his Majesty's power to evacuate countries, which appertain to his ally the Empress Queen.

IX The

IX. The ninth article of the answer of England requires some explanation, for it is worded in such a manner as not to convey any precise meaning; it supposes respective engagements on the part of the King towards the Empress, and on the part of England towards the King of Prussia, to which the two Courts are strangers. France does not suppose that the King of England can hinder the allies of his Crown, such as the Sovereigns of Hanover, Cassel, and Brunswick, from joining their forces with those of the King of Prussia; but without entering into a needless discussion, the King is resolved, for the sake of peace, to make the most important sacrifices, and at the same time unalterably determined, to grant nothing in the future treaty of peace, which may be contrary to the stipulations he has entered into with his allies. It is with their consent, and with mutual concert, that the King proposes to England, in relation to the war in Westphalia, the 10th article of the memorial of his Majesty's propositions, and the 7th and 13th articles of the French *Ultimatum*. The King abides by these articles in answer to the 8th and 9th articles of the answer of England; not refusing, nevertheless, to treat of any fresh propositions which England may make on these heads, which shall be communicated to his Majesty's allies, and to which his Majesty will listen, with the consent of the Empress, if they are not contrary to his Majesty's engagements with that Princess.

X. France is of opinion that her proposition in relation to the captures in which the King's subjects are interested, are so just, that she abides by them, and refers to the 12th article of his propositions on that head.

XI. The King, after signing of the treaty, even of the preliminaries, will give a declaration under his hand, to the King of England, by which his Majesty will declare that his intention never was to bring the towns of Ostend and Nieuport under his dominion.

XII. Provided that the terms of the cessation of hostilities may not be prejudicial to either Crown, France will agree to them.

XIII. France adopts the negotiation between the India Companies of the two nations, on condition that the negotiation shall be concluded at the same time with that be-

tween the two Crowns, and to that effect, each company shall enter upon their negotiation without delay, and shall name commissaries for that purpose.

XIV. This article will meet with no difficulty.

The Court of England will do justice to the considerable accommodations which the Court of France has testified in this memorial, towards a reconciliation between the two Crowns.

It may be collected from this memorial, that the first article of the English answer was granted in the full extent which the Court of London required; France only desired eighteenth months, instead of a year, for the emigration.

By granting the first part of the second article, which cedes the whole current of the Ohio to England, France proposed in regard to the second point of that article, to agree upon the nations which should be reputed neutral between Canada, Carolina, and Louisiana: This proposition was the more reasonable, because that by agreeing on this division of the possession of the two nations, an equitable system was adopted, discussions about the limits were prevented for the future, and France did not incur the risk of losing the colony of Louisiana, whenever it pleased the Court of London to invade it.

England, in her answer, persisted in requiring France to name the possessions which the king desired to have on the coast of Africa. The third article satisfied that demand.

The King, in the fourth Article, agreed to the demolition of Dunkirk, as far as it was possible; for it will not be practicable, as after the peace of Utrecht, to erect afresh a dam against the sea, which would inevitably carry it away presently. As to what remained, it was offered to demolish every thing at Dunkirk which had the appearance of a military port. Every one must be sensible how mortifying such a demolition must have been to France.

They agreed that the liberty of fishing in the Gulf of St. Laurence, and upon the banks and coasts of Newfoundland, should be the compensation for the demolition of Dunkirk. They accepted the cession of the Isle of St. Pierre, on conditions more than burthensome: the union
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of Michelon to St. Pierre was of the least consequence, and the D. de Choiseul even assured Mr. Stanley that such a cession would not be insisted on.

It is true the King rejected the inspection of the English Admiral, and that his Majesty was resolved rather to refuse the possession of St. Pierre, than to agree to such an inspection, which was useless for the maintaining the stipulations of the treaty, and injurious to the dignity of the French nation, as that condition seemed to be proposed only with a view to manifest, on the part of England, an ill-timed superiority.

The other articles of the French memorial explain of themselves, with sufficient precision, the sincere and pacific intentions of his Majesty.

The eighth and ninth articles of the answer of England, could not be agreed to in the form they stood; they required at least, especially the last, some explanation: For how could the King cause Germany to be evacuated by his forces, and at the same time fulfil his engagement with the powers of the Empire his allies? There was a manifest contradiction in this proposition. One might suppose that England intended, by the ninth article, that France, after having evacuated Westphalia, should be at liberty to dispatch forces into Bohemia or Saxony to the aid of the Empress Queen. But not to mention that such a march would have been as difficult as destructive to the King's army, is it probable that his Majesty, however closely he may be connected with that Princess, should abandon his possessions in Germany, conquered from his real enemies, to march his armies at a distance from his frontiers, without any communication, send his troops to the aid of this ally, and make war upon the King of Prussia, who is not his direct enemy!

Such nevertheless was the proposition of England. The King, in his memorial, repeated what he had said before, that the two Crowns should equally remain at peace in Germany, as in the other parts of the world, or that England should propose some plain and honourable method to conciliate his Majesty's good faith towards his allies, with his Majesty's desire of contributing no farther to the war in Germany.

M. de Buffy remitted the memorial of the 9th of September to Mr. Pitt, on the 13th of the same month, and without having received any answer to that memorial on the part of the British Court, Mr. Stanley wrote to the D. de Choiseul the following letter, and received the answer underneath on the same day.

Mr. Stanley's Letter to the Duke de Choiseul, of the 20th September, 1761.

S I R,

I Have the honour to inform your Excellency, pursuant to the orders I received yesterday from my Court, that as the Court of France has not agreed to accept the propositions contained in the last answer from the British Court, the King my Master has ordered me to request a passport of you, to return to England; my Court expects also, that M. Buffy will, on his part, receive the same orders.

As the state of war has no influence over the personal sentiments of the King of England, with regard to their most Christian Majesties, he is persuaded that they will take part in the event of his marriage, and I have letters in my hands by which he communicates that happy event to their Majesties. I have the honour to send your Excellency the copies, and I take the liberty, Sir, to consult your better intelligence, to inform myself of the most suitable manner of remitting these letters, in pursuance of my credentials, and according to the established custom of your Court.

I have the honour to be, &c.

Signed H. S T A N L E Y.

The Duke de Choiseul's Answer to Mr. Stanley, of the 20th of September, 1761.

S I R,

THE King has ordered me, Sir, to expedite the passports which are necessary for your return to England: you will find them annexed. M. Buffy had orders to demand an eclarcissement with respect to the last Answer

swer from England, and to return to France if those éclaircissements were not favourable. They have certainly been otherwise, since your court has anticipated his return by your recall. However it be, Sir, his Majesty hopes that some more happy opportunity will produce more effectual inclinations to peace, and he has charged me to observe to you, that you may assure the King of England, that he will always find him disposed to renew the negotiation, and to consent to equitable conditions, which may establish a firm union between the two crowns.

The King most sincerely takes part in the marriage of the King of England; if you will send me the letters from his British Majesty, I will remit them to their Majesties.

I have the honour to be, &c.

Signed Le Duc de CHOISEUL.

At the same time M. de Buffly understood at London, that a courier had been dispatched to recal Mr. Stanley, he explained himself on that occasion; and after the British Ministry had confirmed the fact, he desired, agreeable to the orders he had received, the necessary passports to return to France.

Thus the negotiation between the two crowns has been broken off. They who talk so readily, and upon all occasions, that *we must make peace*, do not consider, that however well disposed a Sovereign may be for the re-establishment of tranquility; his desire cannot be effectual, but when it is equally sincere on the part of the other belligerent powers; and it will be admitted, on reading this memorial, that the King has omitted nothing to come to an accommodation; no one can say, that his Majesty's allies have occasioned the rupture of the negotiation. It has been proved, that the war which the King maintains in Westphalia, is a war purely English, that it brings no advantage either to the Empresses, or to Sweden, or to Saxony; besides, the proposition made by France, not to afford any succours, either direct or indirect, to her allies in Germany, evidently demonstrates, that the war in Westphalia neither has been, nor could be, an impediment to the peace.

England and some other courts would pretend, that the engagements of the King with his Catholic Majesty, and the proposition made by France, to conciliate the differences of Spain with England at the same time with those which were the principal object of the negotiation, had so disgusted the court of London, that for that reason only she refused the terms for the conclusion of peace. It is true, as has been shewn already, that the British Minister haughtily rejected the expedient, which his Majesty's prudent precaution induced him to suggest to England, with a view to conclude a firm peace, and to entirely obviate all obstacles which might oppose the continuance of that tranquility, which his Majesty laboured to re-establish: it is true likewise, that since the first Memorial of France, there was no farther notice of the differences of Spain in the proposition made by the court of Versailles to that of London: his Catholic Majesty has even declared to the King, that if the objects, which concerned the Spanish monarchy, should embarrass the negotiation and retard the peace, he agreed that those points should be no farther negotiated on the part of his Majesty. In fact, to repeat it once more, since the first Memorial of France, there has been no more mention of Spain. It cannot be imagined, therefore, that the interests of his Majesty's allies have proved an obstacle to the pacification. It remains, therefore, to examine whether the negotiation has been broken off with respect to the articles which are the subjects of the particular discussion between the two crowns.

It is necessary to recollect here, agreeable to the representation in the opening of the Memorial, what were the possessions acquired since the commencement of the war between the two crowns, to the time when the negotiation was entered upon, on the basis of the *Uti possidetis*.

England had conquered from France in North-America, Canada, and the isles Royal and St. John, situate in the gulf of St. Laurence: in South America, the isles of Guadaloupe and Marigalante: in Africa, Senegal, and the island of Goree: in Asia, Pondicherry and the French settlements on the coast of Coromandel.

In Europe, the island of Belleisle, attacked since the opening of the negotiation, and subsequent to the epochs of *Stain Quo*, proposed by the court of France.

The *Uti possidetis* of France comprized in Asia, the English settlements on the coast of Sumatra, and other advantages on the side of the Mogul, of which they had yet received but imperfect accounts. In Europe, the island of Minorca, the Landgraviate of Hesse, the country of Hanau, and the town of Gottingen in the Electorate of Hanover. Lastly, France had re-established, or could have availed herself of the liberty which the infraction of the treaty of Utrecht gave her, to re-establish the port of Dunkirk.

The King offered to guaranty Canada to the English in the utmost extent which the court of London required.

His Majesty proposed, that the right of fishing and of drying their fish on the coast and on the banks of Newfoundland, should be confirmed to France, and on that condition she consented to the demolition of Dunkirk.

The King proposed to restore the island of Minorca to England; for the cession of Guadaloupe and Marigalante.

His Majesty agreed to evacuate Hesse, the county of Hanau, and Gottingen; provided that one of the two settlements she had lost in Africa were restored to her.

The Indian Companies of the two nations were to treat concerning their particular pacification, agreeable to their reciprocal interests.

If the reduction of Belleisle should be acknowledged a legal conquest, though undertaken after the proposition of *Uti possidetis*, France agreed, that the possession of that important island should remain to England.

Who can pretend to say, after the foregoing representation, that France has not scrupulously pursued, in all her propositions, the principle of her Memorial of the 26th of March! Can any one, at the same time, deny that the compensations, offered by the King, were not as advantageous for England as she could desire?

Therefore it evidently follows, that the allies of France in Germany could have been no obstacle to the peace, since they take no part in the war which is carried on in Westphalia, nor are assisted by the King's forces in the war maintained in Saxony, Silesia, and Pomerania. Moreover, it was proposed to England, on the part of France, that the two courts should absolutely withdraw themselves from the war.

It is equally demonstrable, that Spain cannot be alledged to have been an impediment to the pacification, as the King did not renew the proposition he made to unite the accommodation of the differences of that crown, with the treaty under negotiation between the courts of Versailles and London, and his Catholic Majesty approved of their silence in this behalf.

It is certain, that the conditions and compensations offered by France, for the conclusion of a separate peace with England, are all for the advantage of the latter power; that the court of London, had she been inclined to peace, could not make claims beyond her conquests; and that the court plainly and clearly gave up every thing, which was not compensated by some restitution on her part.

This detail necessarily leads to the question, which the whole universe, that suffers by the miseries of war, must necessarily make: What then has been the motive of the rupture of such an important negotiation? That motive has no other principle than the positive aversion of the court of London to peace: it has proved impossible to infuse a conciliating spirit into a court resolved to perpetuate the war, and less influenced by the real interests of the kingdom and the destruction of the human species, than inflated with the success she has had, and greedy of those advantages she has farther in view.

It is with regret, that the King finds himself obliged to continue an opposition by force to the progress of the ambitious designs of his enemies, and under an impossibility of procuring his people that repose, which his Majesty wished for their welfare. The King trusts, that Providence will disappoint those vast projects, which England scarce endeavours to disguise, and which threaten the security of every Potentate. His Majesty, invariable in his pacific dispositions, will be always ready to concur in every expedient, which may be judged proper to re-establish the public tranquility, and will make no difficulty of sacrificing, even his own interests, to the glory and consolation of restoring peace to his kingdom and to Europe.

By order of the King,

Signed LE DUC DE CHOISEUL.

Preliminary Articles of Peace, between his Britannic Majesty, the most Christian King, and the Catholic King. Signed at Fontainebleau, the 3d Day of November, 1762. [Printed from the Copy.]

In the Name of the most Holy Trinity.

THE King of Great Britain, and the most Christian King, animated with the reciprocal desire to re-establish union and good understanding between them, as well for the good of mankind in general, as for that of their respective kingdoms, states, and subjects, having reflected, soon after the rupture between Great Britain and Spain, on the state of the negotiation of last year, (which unhappily had not the desired effect) as well as on the points in dispute between the Crowns of Great Britain and Spain; their Britannick and most Christian Majesties began a correspondence to endeavour to find means to adjust the differences subsisting between their said Majesties. At the same time, the most Christian King having communicated to the King of Spain these happy dispositions, his Catholic Majesty was animated with the same zeal for the good of mankind, and that of his subjects, and resolved to extend and multiply the fruits of peace by his concurrence in such laudable intentions. Their Britannick, most Christian, and Catholic Majesties, having, in consequence, maturely considered all the above points, as well as the different events which have happened during the course of the present negotiation, have, by mutual consent, agreed on the following articles, which shall serve as a basis to the future treaty of peace. For which purpose, his Britannick Majesty has named and authorised, John Duke and Earl of Bedford, Marquess of Tavistock, &c. Minister of state of the King of Great Britain, Lieutenant General of his Forces, Keeper of his Privy Seal, Knight of the most Noble Order of the Garter, and his Britannick Majesty's Minister Plenipotentiary to his most Christian Majesty; his most Christian Majesty, Cæsar Gabriel de Choiseul, Duke of Praslin, Peer of France, Knight of the most Christian King's Orders, Lieutenant General of his Forces, Counsellor in all his

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Councils,

Councils, and Minister and Secretary of State, of his Commands, and Finances; and his Catholic Majesty has likewise named and authorized, Don Jerome Grimaldi, Marquis de Grimaldi, Knight of the most Christian King's Orders, Gentleman of the Bed-Chamber to his Catholick Majesty in Employment, and his Ambassador Extraordinary to his most Christian Majesty; who, after having duly communicated to each other their full powers in good form, have agreed on the following articles.

Article I. As soon as the Preliminaries shall be signed and ratified, sincere friendship shall be re-established between his Britannick Majesty and his most Christian Majesty, and between his said Britannick Majesty and his Catholick Majesty, their kingdoms, states, and subjects, by sea, and by land, in all parts of the world. Orders shall be sent to the armies and squadrons, as well as to the subjects, of the three powers, to stop all hostilities, and to live in the most perfect union, forgetting what has passed, of which their Sovereigns give them the order and example: And, for the execution of this article, sea passes shall be given, on each side, for the ships, which shall be dispatched to carry the news of it to the respective possessions of the three powers.

II. His most Christian Majesty renounces all pretensions, which he has hereto formed, or might have formed, to Nova Scotia, or Acadia, in all its parts, and guaranties the whole of it, with all its dependencies, to the King of Great Britain: Moreover, his most Christian Majesty cedes, and guaranties to his said Britannick Majesty, in full right, Canada, with all its dependencies, as well as the Island of Cape Breton, and all the other Islands, in the gulph, and river of St. Laurence, without restriction, and without any liberty to depart from this cession and guaranty, under any pretence, or to trouble Great Britain in the possessions above-mentioned. His Britannick Majesty, on his side, agrees to grant to the inhabitants of Canada the liberty of the Catholick religion: He will, in consequence, give the most exact and the most effectual orders, that his new Roman Catholick subjects may profess the worship of their religion, according to the rites of the Roman Church, as far as the laws of Great Britain permit.

mit. His Britannick Majesty further agrees, that the French inhabitants, or others who would have been subjects of the most Christian King in Canada, may retire, in all safety and freedom, wherever they please; and may sell their estates, provided it be to his Britannick Majesty's subjects, and transport their effects, as well as their persons, without being restrained in their emigration, under any pretence whatsoever, except debts, or criminal prosecutions: The term, limited for this emigration, being fixed to the space of eighteen months, to be computed from the day of the ratification of the definitive treaty.

III. The subjects of France shall have the liberty of fishing and drying, on a part of the coasts of the island of Newfoundland, such as it is specified in the XIIIth article of the treaty of Utrecht; which article shall be confirmed and renewed by the approaching definitive treaty, (except what regards the Island of Cape Breton, as well as the other Islands in the mouth and in the gulph of St. Laurence :) And his Britannick Majesty consents to leave to the most Christian King's subjects the liberty to fish in the gulph of St. Laurence, on condition that the subjects of France do not exercise the said fishery, but at the distance of three leagues from all the coasts belonging to Great Britain, as well those of the continent, as those of the Islands situated in the said gulph of St. Laurence. And as to what relates to the fishery out of the said gulph, his most Christian Majesty's subjects shall not exercise the fishery, but at the distance of fifteen leagues from the coasts of the Island of Cape Breton.

IV. The King of Great Britain cedes the islands of St. Peter and of Miquelon, in full right, to his most Christian Majesty, to serve as a shelter for the French fishermen; and his said Majesty obliges himself, on his Royal Word, not to fortify the said islands; to erect no buildings there but merely for the conveniency of the fishery; and to keep there only a guard of fifty men for the police.

V. The town and port of Dunkirk shall be put into the state fixed by the last treaty of Aix la Chapelle, and by former treaties: The Cunette shall remain as it now is, provided that the English Engineers, named by his Britannick

tannick Majesty, and received at Dunkirk by order of his most Christian Majesty, verify, that this Cunettee is only of use for the wholesomeness of the air, and the health of the inhabitants.

VI. In order to re-establish peace on the most solid and lasting foundations, and to remove for every subject of dispute with regard to the limits of the British and French territories on the continent of America; it is agreed, that, for the future, the confines between the dominions of his Britannick Majesty, and those of his most Christian Majesty, in that part of the world, shall be irrevocably fixed by a line drawn along the middle of the River Mississippi, from its source, as far as the River Iberville, and from thence, by a line drawn along the middle of this River, and of the Lakes Maurepas and Pontchartrain, to the sea; and to this purpose, the most Christian King cedes in full right, and guaranties to his Britannick Majesty, the River and Port of Mobile, and every thing that he possesses, or ought to have possessed, on the left side of the River Mississippi, except the town of New Orleans, and the island in which it is situated, which shall remain to France; provided that the navigation of the River Mississippi, shall be equally free, as well to the subjects of Great Britain, as to those of France, in its whole breadth and length, from its source to the sea, and that part expressly, which is between the said island of New Orleans, and the right bank of that River, as well as the passage both in and out of its mouth: It is further stipulated, that the vessels belonging to the subjects of either nation, shall not be stopped, visited, or subjected to the payment of any duty whatsoever. The stipulations, in favour of the inhabitants of Canada, inserted in the second article, shall also take place, with regard to the inhabitants of the countries ceded by this article.

VII. The King of Great Britain shall restore to France the islands of Gaudeloupe, of Mariegalante, of Desirade, of Martinico, and of Bellisle; and the fortresses of these islands shall be restored in the same condition they were in, when they were conquered by the British arms; provided that the term of eighteen months, to be computed from the day of the ratification of the definitive treaty, shall be granted

granted to his Britannick Majesty's subjects, who may have settled in the said islands, and other places restored to France by the definitive treaty, to sell their estates, recover their debts, and to transport their effects, as well as their persons, without being restrained, on account of their religion, or under any other pretence whatsoever, except that of debts, or of criminal prosecutions.

VIII. The most Christian King cedes and guaranties to his Britannick Majesty, in full right, the islands of Grenada, and the Grenadines, with the same stipulations in favour of the inhabitants of this Colony, as are inserted in the II^d article for those of Canada: And the partition of the islands called neutral, is agreed and fixed, so that those of St. Vincent, Dominico, and Tabago, shall remain in full right to England, and that of St. Lucia shall be delivered to France, to enjoy the same in like manner in full right: the two Crowns reciprocally guarantying to each other the partition so stipulated.

IX. His Britannick Majesty shall restore to France the island of Gorée in the condition it was in when conquered: and his most Christian Majesty cedes in full right, and guaranties to the King of Great Britain, Senegal.

X. In the East Indies, Great Britain shall restore to France the several Comptoirs, which that Crown had, on the coast of Coromandel, as well as on that of Malabar, and also in Bengal, at the commencement of hostilities between the two Companies in the year 1749, in the condition in which they now are, on condition that his most Christian Majesty renounces the acquisitions which he has made on the coast of Coromandel, since the said commencement of hostilities between the two Companies in the year 1749.

His most Christian Majesty, on his side, shall restore, all that he shall have conquered from Great Britain, in the East Indies, during the present war; and he also engages not to erect any fortifications, or to keep any troops in Bengal.

XI. The Island of Minorca shall be restored to his Britannick Majesty, as well as Fort St. Philip, in the same condition they were in, when they were conquered by the arms of the most Christian King; and with the artillery that

that was there at the taking of the said Island, and of the said fort.

XII. France shall restore all the countries belonging to the Electorate of Hanover, to the Landgrave of Hesse, to the Duke of Brunswick, and to the Count of La Lippe Buckebourg, which are, or shall be occupied by the arms of his most Christian Majesty: the fortresses of these different countries shall be restored in the same condition they were in, when they were conquered by the French Arms; and the pieces of artillery, which shall have been carried elsewhere, shall be replaced by the same number, of the same bore, weight, and metal: as to what regards hostages exacted or given, during the war, to this day, they shall be sent back without ransom.

XIII. After the ratification of the preliminaries, France shall evacuate, as soon as it can be done, the fortresses of Cleves, Wezel, and Gueiders, and in general all the countries belonging to the King of Prussia; and, at the same time, the British and French armies shall evacuate all the countries which they occupy, or may then occupy, in Westphalia, Lower Saxony, on the Lower Rhine, the Upper Rhine, and in all the Empire; and each shall retire into the dominions of their respective Sovereigns: and their Britannick, and most Christian Majesties further engage, and promise, not to furnish any succour, of any kind, to their respective allies, who shall continue engaged in the present war in Germany.

XIV. The towns of Ostend and Nieuport shall be evacuated by his most Christian Majesty's troops, immediately after the signature of the present preliminaries.

XV. The decision of the prizes made on the Spaniards by the subjects of Great Britain, in time of peace, shall be referred to the courts of justice of the Admiralty of Great Britain, conformably to the rules established among all nations, so that the validity of the said prizes, between the British and Spanish nations, shall be decided and judged, according to the law of nations, and according to treaties, in the Courts of justice of the nation, who shall have made the capture.

XVI. His Britannick Majesty shall cause all the fortifications to be demolished, which his subjects shall have erected

in the Bay of Honduras, and other places of the territory of Spain in that part of the world, four months after the ratification of the definitive treaty: and his Catholick Majesty shall not, for the future, suffer the subjects of his Britannick Majesty, or their workmen, to be disturbed, or molested, under any pretence whatsoever, in their occupation of cutting, loading, and carrying away Logwood; and for this purpose, they may build without hindrance, and occupy, without interruption, the houses and magazines, necessary for them, for their families, and for their effects; and his said Catholick Majesty assures to them, by this article, the entire enjoyment of what is above stipulated.

XVII. His Catholic Majesty desists from all pretension, which he may have formed, to the right of fishing about the island of Newfoundland.

XVIII. The King of Great-Britain shall restore to Spain all that he has conquered in the island of Cuba, with the fortress of the Havana; and that fortress, as well as all the other fortresses of the said island, shall be restored in the same condition they were in when they were conquered by his Britannick Majesty's arms.

XIX. In consequence of the restitution stipulated in the preceding article, his Catholick Majesty cedes and guarantees, in full right, to his Britannick Majesty, all that Spain possesses on the continent of North-America, to the East, or to the South-East, of the river Mississippi. And his Britannick Majesty agrees to grant to the inhabitants of this country, above ceded, the liberty of the Catholic religion: he will, in consequence, give the most exact and the most effectual orders, that his new Roman Catholic subjects may profess the worship of their religion according to the rites of the Roman church, as far as the laws of Great-Britain permit. His Britannick Majesty farther agrees, that the Spanish inhabitants, or others who would have been subjects of the Catholick King in the said countries, may retire, in all safety and freedom, wherever they please; and may sell their estates, provided it be to his Britannick Majesty's subjects, and transport their effects, as well as their persons, without being restrained in their emigration, under any pretence whatsoever, except debts, or criminal prosecutions: the term, limited for this emigration, being
fixed

fixed to the space of eighteen months, to be computed from the day of the ratification of the definitive treaty. It is further stipulated, that his Catholick Majesty shall have power to cause all the effects, that belong to him, either artillery or others, to be carried away.

XX. The King of Portugal, his Britannick Majesty's ally, is expressly included in the present preliminary articles. And their most Christian and Catholick Majesties engage to re-establish the antient peace and friendship between them and his most Faithful Majesty: And they promise,

1st. That there shall be a total cessation of hostilities between the crowns of Spain and Portugal, and between the Spanish and French troops, on the one side, and the Portuguese troops, and those of their allies, on the other, immediately after the ratification of these preliminaries: and that there shall be a like cessation of hostilities between the respective forces of the most Christian and Catholic Kings, on the one part, and those of the most Faithful King, on the other, in all other parts of the world, as well by sea as by land; which cessation shall be fixed on the same epochs, and under the same conditions, as that between Great-Britain, France and Spain, and shall continue till the conclusion of the definitive treaty between Great-Britain, France, Spain, and Portugal.

2d. That all his most Faithful Majesty's fortresses, and countries, in Europe, which shall have been conquered by the Spanish and French armies, shall be restored in the same condition they were in when they were conquered: and that, with regard to the Portuguese colonies in America, or elsewhere, if any change shall have happened in them, all things shall be put again on the same footing they were before the present war. And the most Faithful King shall be invited to accede to the present preliminary articles, as soon as shall be possible.

XXI. All the countries, and territories, which may have been conquered, in any part of the world whatsoever, by the arms of their Britannick and most Faithful Majesties, as well as by those of their most Christian and Catholick Majesties, which are not included in the present articles, either under the title of cessions, or under the title of restitutions,

tutions, shall be restored without difficulty, and without requiring compensations.

XXII. As it is necessary to assign a fixed epoch for the restitutions, and the evacuations, to be made by each of the high contracting parties, it is agreed, that the British and French troops shall proceed, immediately after the ratification of the preliminaries, to the evacuation of the countries which they occupy in the Empire, or elsewhere, conformably to the XIIth and XIIIth articles.

The island of Belleisle shall be evacuated six weeks after the ratification of the definitive treaty, or sooner if it can be done.

Guadaloupe, Desirade, Mariegalante, Martinico, and St. Lucia, three months after the ratification of the definitive treaty, or sooner if it can be done.

Great-Britain shall, likewise, at the end of three months after the ratification of the definitive treaty, or sooner if it can be done, enter into possession of the river and of the port of Mobile, and of all that is to form the limits of the territory of Great-Britain; on the side of the river Mississippi, as they are specified in the VIth article.

The island of Goree shall be evacuated by Great-Britain, three months after the ratification of the definitive treaty; and the island of Minorca by France, at the same epoch, or sooner if it can be done. And according to the conditions of the IVth article, France shall also enter into possession of the islands of St. Peter, and of Miquelon, at the end of three months.

The Comptoirs in the East-Indies shall be restored six months after the ratification of the definitive treaty, or sooner if it can be done.

The island of Cuba, with the fortress of the Havana, shall be restored three months after the ratification of the definitive treaty, or sooner if it can be done. And at the same time Great-Britain shall enter into possession of the country ceded by Spain according to the XIXth article.

All the fortresses, and countries, of his most Faithful Majesty, in Europe, shall be restored immediately after the ratification of the definitive treaty: and the Portuguese colonies, which may have been conquered, shall be restored in the space of three months in the West-Indies, and of

fix months in the East-Indies; after the ratification of the definitive treaty, or sooner if it can be done.

In consequence whereof, the necessary orders shall be sent by each of the high contracting parties, with reciprocal passports for the ships which shall carry them, immediately after the ratification of the definitive treaty.

XXIII. All the treaties, of what nature soever, which existed before the present war, as well between their Britannick and most Christian Majesties, as between their Britannick and Catholick Majesties, as also between any of the above-named powers, and his most Faithful Majesty, shall be, as they are in effect, renewed, and confirmed, in all their points, which are not derogated from by the present preliminary articles, notwithstanding whatever may have been stipulated to the contrary by any of the high contracting parties: and all the said parties declare, that they will not suffer any privilege, favour, or indulgence, to subsist, contrary to the treaties above confirmed.

XXIV. The prisoners made respectively by the arms of their Britannick, most Christian, Catholick, and most Faithful Majesties, by land, and by sea, shall be restored reciprocally, and bonâ fide, after the ratification of the definitive treaty, without ransom, paying the debts they shall have contracted during their captivity. And each crown shall respectively pay the advances which shall have been made for the subsistence and maintenance of their prisoners, by the Sovereign of the country where they shall have been detained, according to the receipts and attested accounts, and other authentic titles which shall be furnished on each side.

XXV. In order to prevent all causes of complaints and disputes, which may arise, on account of ships, merchandizes, and other effects, which may be taken by sea, it is reciprocally agreed, that the ships, merchandizes, and effects, which may be taken in the channel, and in the north seas, after the space of twelve days, to be computed from the ratification of the present preliminary articles, shall be reciprocally restored on each side.

That the term shall be six weeks for the prizes taken, from the channel, the British seas, and the north seas, as far as the Canary Islands inclusively, either in the Ocean, or in the Mediterranean.

Three months, from the said Canary Islands as far as the Equinoctial Line, or Equator.

Lastly, six months, beyond the said Equinoctial Line, or Equator, and in all other parts of the world, without any exception, or other more particular description of time and place.

XXVI. The ratifications of the present preliminary articles shall be expedited in good and due form, and exchanged in the space of one month, or sooner if it can be done, to be computed from the day of the signature of the present articles.

In witness whereof, we the underwritten Ministers Plenipotentiary of his Britannick Majesty, of his most Christian Majesty, and of his Catholick Majesty, in virtue of our respective full powers, have signed the present preliminary articles, and have caused the seal of our arms to be put thereto.

Done at Fontainebleau, the third day of November, 1762.

Bedford, C. P. S.
(L. S.)

*Choiseul, Duc
de Praslin.*
(L. S.)

*El Marq. de
Grimaldi.*
(L. S.)

Declaration, signed at *Fontainebleau*, the 3d of *November*, 1762, by the *French* Plenipotentiary, relating to the XIIIth Article of the Preliminaries.

HIS most Christian Majesty declares, that, in agreeing to the XIIIth article of the Preliminaries, signed this day, he does not mean to renounce the right of acquitting his debts to his allies; and that the remittances, which may be made on his part, in order to acquit the arrears that may be due on the subsidies of preceding years, are not to be considered as an infraction of the said article.

In witness whereof, I, the underwritten Minister Plenipotentiary of his most Christian Majesty, have signed the present declaration, and have caused the seal of my arms to be put thereto.

Done at Fontainebleau, the third day of November, 1762.

(L. S.) *Choiseul Duc de Praslin.*

The

The Definitive Treaty of Peace and Friendship between his Britannick Majesty, the Most Christian King, and the King of Spain. Concluded at Paris, the 10th day of February, 1763. To which the King of Portugal acceded on the same day. [Printed from the Copy.]

In the Name of the Most Holy and Undivided Trinity;
Father, Son, and Holy Ghost. So be it.

BE it known to all those to whom it shall, or may, in any manner, belong:

It has pleased the Most High to diffuse the spirit of union and concord among the Princes, whose divisions had spread troubles in the four parts of the world; and to inspire them with the inclination to cause the comforts of peace to succeed to the misfortunes of a long and bloody war; which having arisen between England and France, during the reign of the most serene and most potent Prince, George the Second, by the grace of God, King of Great-Britain, of glorious memory, continued under the reign of the most serene and most potent Prince, George the Third, his successor, and, in its progress, communicated itself to Spain and Portugal: Consequently, the most serene and most potent Prince, George the Third, by the grace of God, King of Great-Britain, France, and Ireland, Duke of Brunswick and Lunenburg, Arch-Treasurer, and Elector, of the Holy Roman Empire; the most serene and most potent Prince, Lewis the Fifteenth, by the grace of God, Most Christian King; and the most serene and most potent Prince, Charles the Third, by the Grace of God, King of Spain and of the Indies, after having laid the foundations of peace in the Preliminaries, signed at Fontainebleau the third of November last; and the most serene and most potent Prince, Don Joseph the First, by the grace of God, King of Portugal and of the Algarves, after having acceded thereto, determined to compleat, without delay, this great and important work. For this purpose, the high contracting parties have named and appointed their respective Ambassadors Extraordinary and Ministers Plenipotentiary, viz. his Sacred Majesty the King of Great-Britain, the most illustrious and most excellent

lent Lord, John Duke and Earl of Bedford, Marquess of Tavistock, &c. his Minister of State, Lieutenant General of his Armies, Keeper of his Privy Seal, Knight of the most Noble Order of the Garter, and his Ambassador Extraordinary and Minister Plenipotentiary to his most Christian Majesty ; his Sacred Majesty the most Christian King, the most illustrious and most excellent Lord, Cæsar Gabriel de Choiseul, Duke of Praslin, Peer of France, Knight of his Orders, Lieutenant General of his Armies and of the province of Brittany, Counsellor in all his Councils, and Minister and Secretary of State, and of his Commands and Finances ; his Sacred Majesty the Catholic King, the most illustrious and most excellent Lord, Don Jerome Grimaldi, Marquis de Grimaldi, Knight of the most Christian King's Orders, Gentleman of his Catholick Majesty's Bed-Chamber in Employment, and his Ambassador Extraordinary to his most Christian Majesty ; his Sacred Majesty the most Faithful King, the most illustrious and most excellent Lord, Martin de Mello and Castro, Knight Professed of the order of Christ, of his most Faithful Majesty's council, and his Ambassador, and Minister Plenipotentiary, to his most Christian Majesty.

Who, after having duly communicated to each other their full powers, in good form, copies whereof are transcribed at the end of the present treaty of peace, have agreed upon the articles, the tenor of which is as follows.

Article I. There shall be a christian, universal, and perpetual peace, as well by sea as by land, and a sincere and constant friendship shall be re-established between their Britannick, most Christian, Catholick, and most Faithful Majesties, and between their heirs and successors, kingdoms, dominions, provinces, countries, subjects, and vassals, of what quality or condition soever they be, without exception of places or of persons : So that the high contracting parties shall give the greatest attention to maintain between themselves, and their said dominions and subjects, this reciprocal friendship and correspondence, without permitting, on either side, any kind of hostilities, by sea or by land, to be committed from henceforth, for any cause, or under any pretence whatsoever, and every thing shall be carefully avoided, which might, hereafter,

prejudice the union happily re-established, applying themselves, on the contrary, on every occasion, to procure for each other whatever may contribute to their mutual glory, interests, and advantages, without giving any assistance or protection, directly or indirectly, to those who would cause any prejudice to either of the high contracting parties: there shall be a general oblivion of every thing that may have been done or committed before, or since the commencement of the war, which is just ended.

II. The treaties of Westphalia of 1648; those of Madrid between the crowns of Great-Britain and Spain of 1667, and 1670; the treaties of peace of Nimeguen of 1678, and 1679; of Ryswyck of 1697; those of peace and of commerce of Utrecht of 1713; that of Baden of 1714; the treaty of the triple alliance of the Hague of 1717; that of the quadruple alliance of London of 1718; the treaty of peace of Vienna of 1738; the definitive treaty of Aix la Chapelle of 1748; and that of Madrid, between the crowns of Great-Britain and Spain, of 1750; as well as the treaties between the crowns of Spain and Portugal, of the 13th of February, 1668; of the 6th of February, 1715; and of the 12th of February, 1761; and that of the 11th of April, 1713, between France and Portugal, with the guaranties of Great-Britain; serve as a basis and foundation to the peace, and to the present treaty: and for this purpose, they are all renewed and confirmed in the best form, as well as all the general, which subsisted between the high contracting parties before the war, as if they were inserted here word for word, so that they are to be exactly observed, for the future, in their whole tenor, and religiously executed on all sides, in all their points, which shall not be derogated from by the present treaty, notwithstanding all that may have been stipulated to the contrary by any of the high contracting parties: and all the said parties declare, that they will not suffer any privilege, favour, or indulgence to subsist, contrary to the treaties above confirmed, except what shall have been agreed and stipulated by the present treaty.

III. All the prisoners made, on all sides, as well by land as by sea, and the hostages carried away, or given during the war, and to this day, shall be restored, without

out ransom, six weeks, at latest, to be computed from the day of the exchange of the ratification of the present treaty, each crown respectively paying the advances, which shall have been made for the subsistence and maintenance of their prisoners, by the Sovereign of the country where they shall have been detained, according to the attested receipts and estimates, and other authentic vouchers, which shall be furnished on one side and the other. And securities shall be reciprocally given for the payment of the debts which the prisoners shall have contracted in the countries, where they have been detained, until their entire liberty. And all the ships of war and merchant vessels, which shall have been taken since the expiration of the terms agreed upon for the cessation of hostilities by sea, shall likewise be restored bonâ fide, with all their crews and cargoes: and the execution of this article shall be proceeded upon immediately after the exchange of the ratifications of this treaty.

IV. His most Christian Majesty renounces all pretensions, which he has heretofore formed, or might have formed; to Nova Scotia, or Acadia, in all its parts, and guaranties the whole of it, and with all its dependencies; to the King of Great Britain: Moreover, his most Christian Majesty cedes, and guaranties to his said Britannick Majesty, in full right; Canada, with all its dependencies, as well as the Island of Cape Breton; and all the other Islands and Coasts, in the gulph and river of St. Laurence; and in general, every thing that depends on the said Countries, Lands, Islands, and Coasts, with the sovereignty, property, possession, and all rights acquired by treaty, or otherwise, which the most Christian King, and the crown of France, have had, till now, over the said Countries, Islands, Lands, Places, Coasts, and their inhabitants, so that the most Christian King cedes and makes over the whole to the said King, and to the crown of Great-Britain, and that in the most ample manner and form, without restriction, and without any liberty to depart from the said cession and guaranty, under any pretence, or to disturb Great Britain in the possessions above-mentioned. His Britannick Majesty, on his side, agrees to grant the liberty of the Catholick religion to the inhabitants of Canada: He

will, in consequence, give the most precise and most effectual orders, that his new Roman Catholick subjects may profess the worship of their religion, according to the rites of the Romish Church, as far as the laws of Great Britain permit. His Britannick Majesty further agrees, that the French inhabitants, or others who had been subjects of the most Christian King in Canada, may retire, with all safety and freedom, wherever they shall think proper, and may sell their estates, provided it be to the subjects of his Britannic Majesty, and bring away their effects, as well as their persons, without being restrained in their emigration, under any pretence whatsoever, except that of debts, or of criminal prosecutions: The term, limited for this emigration, shall be fixed to the space of eighteen months, to be computed from the day of the exchange of the ratification of the present treaty.

V. The subjects of France shall have the liberty of fishing and drying, on a part of the coasts of the island of Newfoundland, such as it is specified in the XIIIth article of the treaty of Utrecht; which article is renewed and confirmed by the present treaty, (except what relates to the Island of Cape Breton, as well as to the other Islands and Coasts, in the mouth and in the gulph of St. Laurence :) And his Britannick Majesty consents to leave to the subjects of the most Christian King, the liberty of fishing in the gulph St. Laurence, on condition that the subjects of France do not exercise the said fishery, but at the distance of three leagues from all the coasts belonging to Great Britain, as well those of the continent, as those of the Islands situated in the said gulph St. Laurence. And as to what relates to the fishery on the coasts of the Island of Cape Breton, out of the said gulph, the subjects of the most Christian King shall not be permitted to exercise the said fishery, but at the distance of fifteen leagues from the coasts of the Island of Cape Breton; and the fishery on the coasts of Nova Scotia or Acadia, and every where else out of the said Gulph; shall remain on the foot of former treaties.

VI. The King of Great Britain cedes the islands of St. Pierre and Miquelon, in full right, to his most Christian Majesty, to serve as a shelter to the French fishermen;

men ; and his said most Christian Majesty engages not to fortify the said islands ; to erect no buildings upon them, but merely for the conveniency of the fishery ; and to keep upon them a guard of fifty men only for the police.

VII. In order to re-establish peace on solid and durable foundations, and to remove for ever all subject of dispute with regard to the limits of the British and French territories on the continent of America ; it is agreed, that, for the future, the confines between the dominions of his Britannick Majesty, and those of his most Christian Majesty, in that part of the world, shall be fixed irrevocably by a line drawn along the middle of the River Mississippi, from its source, to the River Iberville, and from thence, by a line drawn along the middle of this River, and the Lakes Maurepas and Pontchartrain, to the sea ; and for this purpose, the most Christian King cedes in full right, and guaranties to his Britannick Majesty, the River and Port of the Mobile, and every thing which he possesses, or ought to possess, on the left side of the River Mississippi, except the town of New Orleans, and the island in which it is situated, which shall remain to France ; provided that the navigation of the River Mississippi, shall be equally free, as well to the subjects of Great Britain, as to those of France, in its whole breadth and length, from its source to the sea, and expressly that part, which is between the said island of New Orleans, and the right bank of that River, as well as the passage both in and out of its mouth : It is further stipulated, that the vessels belonging to the subjects of either nation, shall not be stopped, visited, or subjected to the payment of any duty whatsoever. The stipulations, inserted in the IVth article, in favour of the inhabitants of Canada, shall also take place, with regard to the inhabitants of the countries ceded by this article.

VIII. The King of Great Britain shall restore to France the islands of Gaudeloupe, of Mariegalante, of Desirade, of Martinico, and of Bellisle ; and the fortresses of these islands shall be restored in the same condition they were in, when they were conquered by the British arms ; provided that his Britannick Majesty's subjects, who shall have set-

tled in the said islands, or those who shall have any commercial affairs to settle there, or in the other places restored to France by the present treaty, shall have liberty to sell their lands and their estates, to settle their affairs, to recover their debts, and to bring away their effects, as well as their persons, on board vessels, which they shall be permitted to send to the said islands, and other places restored as above, and which shall serve for this use only, without being restrained, on account of their religion, or under any other pretence whatsoever, except that of debts, or of criminal prosecutions: and for this purpose, the term of eighteen months is allowed to his Britannick Majesty's subjects, to be computed from the day of the exchange of the ratifications of the present treaty; but, as the liberty, granted to his Britannick Majesty's subjects, to bring away their persons and their effects, in vessels of their nation, may be liable to abuses, if precautions were not taken to prevent them; it has been expressly agreed between his Britannick Majesty and his most Christian Majesty, that the number of English vessels, which shall have leave to go to the said islands and places restored to France, shall be limited, as well as the number of tons of each one; that they shall go in ballast; shall set sail at a fixed time; and shall make one voyage only, all the effects, belonging to the English, being to be embarked at the same time. It has been further agreed, that his most Christian Majesty shall cause the necessary passports to be given to the said vessels; that, for the greater security, it shall be allowed to place two French Clerks, or Guards, in each of the said vessels, which shall be visited in the landing places, and ports of the said islands, and places, restored to France, and that the merchandize, which shall be found therein, shall be confiscated.

IX. The most Christian King cedes and guaranties to his Britannick Majesty, in full right, the islands of Grenada, and the Grenadines, with the same stipulations in favour of the inhabitants of this Colony, inserted in the IVth article for those of Canada: And the partition of the islands called neutral, is agreed and fixed, so that those of St. Vincent, Dominico, and Tobago, shall remain in full right to Great Britain, and that of St. Lucia shall
be

be delivered to France, to enjoy the same likewise in full right: and the high contracting parties guaranty the partition so stipulated.

X. His Britannick Majesty shall restore to France the island of Gorée in the condition it was in when conquered: and his most Christian Majesty cedes in full right, and guaranties to the King of Great Britain the River Senegal, with the forts and factories of St. Lewis, Podor, and Galam, and with all the rights and dependencies of the said River Senegal.

XI. In the East Indies, Great Britain shall restore to France, in the condition they are now in, the different factories, which that Crown possessed, as well as on the coast of Coromandel, and Orixá, as on that of Malabar, as also in Bengal, at the beginning of the year 1749. And his most Christian Majesty renounces all pretension to the acquisitions which he has made on the coast of Coromandel and Orixá, since the said beginning of the year 1749. His most Christian Majesty shall restore, on his side, all that he may conquer from Great Britain, in the East Indies, during the present war; and will expressly cause Nattal and Tapanouilly, in the island of Sumatra, to be restored; he engages further, not to erect fortifications, or to keep troops in any part of the dominions of the Subah of Bengal. And in order to preserve future peace on the Coast of Coromandel and Orixá, the English and French shall acknowledge Mahomet Aily Khan for lawful Nabob of the Carnatick, and Salabat Jing for lawful Subah of the Decan; and both parties shall renounce all demands and pretensions of satisfaction, with which they might charge each other, or their Indian allies, for the depredations, or pillage, committed, on the one side, or on the other, during the war.

XII. The Island of Minorca shall be restored to his Britannick Majesty, as well as Fort St. Philip, in the same condition they were in, when conquered by the arms of the most Christian King; and with the artillery which was there, when the said Island, and the said fort were taken.

XIII. The town and port of Dunkirk shall be put into thy state fixed by the last treaty of Aix la Chapelle, and be
former

former treaties. The Cunette shall be destroyed immediately after the exchange of the ratifications of the present treaty, as well as the forts and batteries which defend the entrance on the side of the sea; and provision shall be made, at the same time, for the wholesomeness of the air, and for the health of the inhabitants, by some other means, to the satisfaction of the King of Great Britain.

XIV. France shall restore all the countries belonging to the Electorate of Hanover, to the Landgrave of Hesse, to the Duke of Brunswick, and to the Count of La Lippe Buckebourg, which are, or shall be occupied by his most Christian Majesty arms: the fortresses of these different countries shall be restored in the same condition they were in, when conquered by the French Arms; and the pieces of artillery, which shall have been carried elsewhere, shall be replaced by the same number, of the same bore, weight, and metal.

XV. In case the stipulations, contained in the XIIIth article of the preliminaries, should not be completed at the time of the signature of the present treaty, as well with regard to the evacuations to be made by the armies of France of the fortresses of Cleves, Wezel, Guelders, and of all the countries belonging to the King of Prussia, as with regard to the evacuations to be made by the British and French armies of the countries which they occupy in Westphalia, Lower Saxony, on the Lower Rhine, the Upper Rhine, and in all the Empire; and to the retreat of the troops into the dominions of their respective Sovereigns: their Britannick, and most Christian Majesties promise to proceed, *bonâ fide*, with all the dispatch the case will permit of, to the said evacuations, the entire completion whereof they stipulate before the 15th of March next, or sooner if it can be done; and their Britannick and most Christian Majesties further engage, and promise to each other, not to furnish any succours, of any kind, to their respective allies, who shall continue engaged in the war in Germany.

XVI. The decision of the prizes made, in time of peace, by the subjects of Great Britain, on the Spaniards, shall be referred to the Courts of justice of the Admiralty of Great Britain, conformably to the rules established

among all nations, so that the validity of the said prizes, between the British and Spanish nations, shall be decided and judged, according to the law of nations, and according to treaties, in the courts of justice of the nation, who shall have made the capture.

XVII. His Britannick Majesty shall cause to be demolished all the fortifications which his subjects shall have erected in the Bay of Honduras, and other places of the territory of Spain in that part of the world, four months after the ratification of the present treaty: and his Catholick Majesty shall not permit his Britannick Majesty subjects, or their workmen, to be disturbed, or molested, under any pretence whatsoever, in the said places, in their occupation of cutting, loading, and carrying away Logwood; and for this purpose, they may build without hindrance, and occupy, without interruption, the houses and magazines, necessary for them, for their families, and for their effects: and his Catholick Majesty assures to them, by this article, the full enjoyment of those advantages, and powers, on the Spanish coasts and territories, as above stipulated, immediately after the ratification of the present treaty.

XVIII. His Catholick Majesty desists, as well for himself, as for his successors, from all pretension, which he may have formed, in favour of the Guipuscoans, and other his subjects, to the right of fishing in the neighbourhood of the island of Newfoundland.

XIX. The King of Great-Britain shall restore to Spain all the territory which he has conquered in the island of Cuba, with the fortress of the Havana; and this fortress, as well as all the other fortresses of the said island, shall be restored in the same condition they were in when conquered by his Britannick Majesty's arms; provided, that his Britannick Majesty's subjects, who shall have settled in the said island, restored to Spain by the present treaty, or those who shall have any commercial affairs to settle there, shall have liberty to sell their lands, and their estates, to settle their affairs, to recover their debts, and to bring away their effects, as well as their persons, on board vessels which they shall be permitted to send to the said island restored as above, and which shall serve

serve for that use only, without being restrained on account of their religion, or under any other pretence whatsoever, except that of debts, or of criminal prosecutions: And for this purpose, the term of eighteen months is allowed to his Britannick Majesty's subjects, to be computed from the day of the exchange of the ratifications of the present treaty: but as the liberty, granted to his Britannick Majesty's subjects, to bring away their persons, and their effects, in vessels of their nation, may be liable to abuses, if precautions were not taken to prevent them; it has been expressly agreed, between his Britannick Majesty and his Catholick Majesty, that the number of English vessels, which shall have leave to go to the said island restored to Spain, shall be limited, as well as the number of tons of each one; that they shall go in ballast; shall set sail at a fixed time; and shall make one voyage only; all the effects belonging to the English being to be embarked at the same time: it has been further agreed, that his Catholick Majesty shall cause the necessary passports to be given to the said vessels; that, for the greater security, it shall be allowed to place two Spanish clerks, or guards, in each of the said vessels, which shall be visited in the landing-places, and ports of the said island restored to Spain, and that the merchandize, which shall be found therein, shall be confiscated.

XX. In consequence of the restitution stipulated in the preceding article, his Catholick Majesty cedes and guaranties, in full right, to his Britannick Majesty, Florida, with Fort St. Augustin, and the Bay of Peniacola, as well as all that Spain possesses on the continent of North-America, to the East, or to the South-East, of the river Mississipi. And, in general, every thing that depends on the said countries and lands, with the sovereignty, property, possession, and all rights, acquired by treaties or otherwise, which the Catholick King, and the crown of Spain, have had till now, over the said countries, lands, places, and their inhabitants; so that the Catholick King cedes and makes over the whole to the said King, and to the crown of Great Britain, and that in the most ample manner and form. His Britannick Majesty agrees, on his side, to grant to the inhabitants of the countries above ceded, the
liberty

liberty of the Catholic religion : he will consequently give the most express and the most effectual orders, that his new Roman Catholic subjects may profess the worship of their religion according to the rites of the Romish church, as far as the laws of Great-Britain permit. His Britannick Majesty farther agrees, that the Spanish inhabitants, or others who had been subjects of the Catholick King in the said countries, may retire, with all safety and freedom, wherever they think proper ; and may sell their estates, provided it be to his Britannick Majesty's subjects, and bring away their effects, as well as their persons, without being restrained in their emigration, under any pretence whatsoever, except that of debts, or of criminal prosecutions : the term, limited for this emigration, being fixed to the space of eighteen months, to be computed from the day of the exchange of the ratifications of the present treaty. It is moreover stipulated, that his Catholick Majesty shall have power to cause all the effects, that may belong to him, to be brought away, whether it be artillery or other things.

XXI. The French and Spanish troops shall evacuate all the territories, lands, towns, places, and castles, of his his most faithful Majesty, in Europe, without any reserve, which shall have been conquered by the armies of France and Spain, and shall restore them in the same condition they were in when conquered, with the same artillery, and ammunition, which were found there : And with regard to the Portuguese Colonies in America, Africa, or in the East Indies, if any change shall have happened there, all things shall be restored on the same footing they were in, and conformably to the preceding treaties which subsisted between the Courts of France, Spain, and Portugal, before the present war.

XXII. All the papers, letters, documents, and archives, which were found in the countries, territories, towns, and places, that are restored, and those belonging to the countries ceded, shall be, respectively and *bonâ fide*, delivered, or furnished at the same time, if possible, that possession is taken, or, at latest, four months after the exchange of the ratifications of the present treaty, in whatever places the said papers or documents may be found.

XXIII.

XXIII. All the countries and territories, which may have been conquered, in whatsoever part of the world, by the arms of their Britannick and most Faithful Majesties, as well as by those of their most Christian and Catholick Majesties, which are not included in the present treaty, either under the title of cessions, or under the title of restitutions, shall be restored without difficulty, and without requiring any compensations.

XXIV. As it is necessary to assign a fixed epoch for the restitutions, and the evacuations, to be made by each of the high contracting parties, it is agreed, that the British and French troops shall compleat, before the 15th of March next, all that shall remain to be executed of the XIIth and XIIIth articles of the preliminaries, signed the 3d day of November last, with regard to the evacuation to be made in the Empire, or elsewhere. The island of Belleisle shall be evacuated six weeks after the exchange of the ratifications of the present treaty, or sooner if it can be done. Guadaloupe, Desirade, Mariegalante, Martinico, and St. Lucia, three months after the exchange of the ratifications of the present treaty, or sooner if it can be done. Great-Britain shall likewise, at the end of three months after the exchange of the ratifications of the present treaty, or sooner if it can be done, enter into possession of the river and port of the Mobile, and of all that is to form the limits of the territory of Great-Britain, on the side of the river Mississippi, as they are specified in the VIIth article. The island of Goree shall be evacuated by Great-Britain, three months after the exchange of the ratifications of the present treaty; and the island of Minorca, by France, at the same epoch, or sooner if it can be done: And according to the conditions of the VIth article, France shall likewise enter into possession of the islands of St. Peter, and of Miquelon, at the end of three months after the exchange of the ratifications of the present treaty. The Factories in the East-Indies shall be restored six months after the exchange of the ratifications of the present treaty, or sooner if it can be done. The fortress of the Havana, with all that has been conquered in the island of Cuba, shall be restored three months after the exchange of the ratifications of the present treaty, or sooner if it can be done:

And,

And, at the same time, Great-Britain shall enter into possession of the country ceded by Spain according to the XXth article. All the places and countries of his most Faithful Majesty, in Europe, shall be restored immediately after the exchange of the ratification of the present treaty : And the Portuguese colonies, which may have been conquered, shall be restored in the space of three months in the West-Indies, and of six months in the East-Indies, after the exchange of the ratifications of the present treaty, or sooner if it can be done. All the fortresses, the restitution whereof is stipulated above, shall be restored with the artillery and ammunition, which were found there at the time of the conquest. In consequence whereof, the necessary orders shall be sent by each of the high contracting parties, with reciprocal passports for the ships that shall carry them, immediately after the exchange of the ratifications of the present treaty.

XXV. His Britannick Majesty, as elector of Brunswick Lunenbourg, as well for himself, as for his heirs and successors, and all the dominions and possessions of his said Majesty in Germany, are included and guaranteed by the present treaty of peace.

XXVI. Their sacred Britannick, most Christian, Catholick, and most Faithful Majesties, promise to observe, sincerely and *bonâ fide*, all the articles contained and settled in the present treaty ; and they will not suffer the same to be infringed, directly or indirectly, by their respective subjects ; and the said high contracting parties, generally and reciprocally, guaranty to each other all the stipulations of the present treaty.

XXVII. The solemn ratifications of the present treaty, expedited in good and due form, shall be exchanged in this City of Paris, between the high contracting parties, in the space of a month, or sooner if possible, to be computed from the day of the signature of the present treaty.

In witness whereof, we the underwritten their Ambassadors Extraordinary, and Ministers Plenipotentiary, have signed with our hand, in their name, and in virtue of our full powers, have signed the present definitive treaty, and
have

have caused the seal of our arms to be put thereto. Done at Paris the tenth day of February, 1763.

<i>Bedford, C. P. S.</i>	<i>Choiseul, Duc</i>	<i>El Marq. de</i>
(L. S.)	<i>de Praslin.</i>	<i>Grimaldi.</i>
	(L. S.)	(L. S.)

Separate Articles:

I. **S**OME of the titles made use of by the contracting powers, either in the full powers, and other acts, during the course of the negotiation, or in the preamble of the present treaty, not being generally acknowledged; it has been agreed, that no prejudice shall ever result therefrom to any of the said contracting parties; and that the titles, taken or omitted, on either side, on occasion of the said negotiation, and of the present treaty, shall not be cited, or quoted as a precedent.

II. It has been agreed and determined; that the French Language, made use of in all the copies of the present treaty, shall not become an example, which may be alleged, or made a precedent of, or prejudice, in any manner, any of the contracting powers; and that they shall conform themselves, for the future, to what has been observed, and ought to be observed, with regard to, and on the part of powers, who are used, and have a right, to give and to receive copies of like treaties in another language than French; the present treaty having still the same force and effect, as if the afore said custom had been therein observed.

III. Though the King of Portugal has not signed the present definitive treaty, their Britannick, most Christian, and Catholick Majesties, acknowledge, nevertheless, that his most Faithful Majesty is formally included therein as a contracting party, and as if he had expressly signed the said treaty: Consequently, their Britannick, most Christian, and Catholick Majesties, respectively and conjointly, promise to his most Faithful Majesty, in the most express and most binding manner, the execution of all and every the clauses, contained in the said treaty. on his act of accession.

The present Separate Articles shall have the same force as if they were inserted in the treaty.

In witness whereof, We the under-written Ambassadors Extraordinary, and Ministers Plenipotentiary of their Britannick, most Christian, and Catholick Majesties, have signed the present Separate Articles, and have caused the seal of our arms to be put thereto.

Done at Paris, the 10th of February, 1763.

<i>Bedford, C. P. S.</i>	<i>Choiseul, Duc</i>	<i>El Marq. de</i>
<i>(L. S.)</i>	<i>de Praslin.</i>	<i>Grimaldi.</i>
	<i>(L. S.)</i>	<i>(L. S.)</i>

His Britannick Majesty's Full Power.

G E O R G E R.

GEORGE the Third, by the grace of God, King of Great-Britain, France, and Ireland, Defender of the Faith, Duke of Brunswick and Lunenbourg, Arch-Treasurer, and Prince Elector, of the Holy Roman Empire, &c. To all and singular to whom these presents shall come, Greeting. Whereas, in order to perfect the peace, between Us and our good Brother the most Faithful King, on the one part, and our good Brothers the most Christian and Catholick Kings, on the other, which has been happily begun by the Preliminary Articles already signed at Fontainebleau the 3d of this month; and to bring the same to the desired end, We have thought proper to invest some fit person with full authority, on our part; Know ye, that We, having most entire confidence in the fidelity, judgment, skill, and ability in managing affairs of the greatest consequence, of our right trusty, and right entirely beloved Cousin and Counsellor, John Duke and Earl of Bedford, Marquess of Tavistock, Baron Russel of Cheneys, Baron Russel of Thornhaugh, and Baron Howland of Streatham, Lieutenant-General of our forces, Keeper of our Privy Seal, Lieutenant and Custos Rotulorum of the counties of Bedford and Devon, Knight of our most noble order of the Garter, and our Ambassador Extraordinary and Plenipotentiary to our good Brother the most Christian King, have nominated, made, constituted, and appointed,

appointed, as by these presents, we do nominate, make, constitute, and appoint Him, our true, certain, and undoubted Minister, Commissary, Deputy, Procurator, and Plenipotentiary, giving to him all and all manner of power, faculty, and authority, as well as our general and special command (yet so as that the general do not derogate from the special, or on the contrary) for Us and in our name, to meet and confer, as well singly and separately, as jointly, and in a body, with the Ambassadors, Commissaries, Deputies, and Plenipotentiaries, of the Princes, whom it may concern, vested with sufficient power and authority for that purpose, and with them to agree upon, treat, consult, and conclude, concerning the re-establishing, as soon as may be, a firm and lasting peace, and sincere friendship and concord; and whatever shall be so agreed and concluded, for Us and in our name, to sign, and to make a treaty or treaties, on what shall have been so agreed and concluded, and to transact every thing else that may belong to the happy completion of the aforesaid work, in as ample a manner and form, and with the same force and effect, as We ourselves, if we were present, could do and perform; engaging and promising, on our royal word, that we will approve, ratify, and accept, in the best manner, whatever shall happen to be transacted and concluded by our said Plenipotentiary, and that We will never suffer any person to infringe or act contrary to the same, either in the whole or in part. In witness and confirmation whereof We have caused our great Seal of Great-Britain to be affixed to these presents, signed with our royal hand. Given at our Palace at St. James's, the 12th day of November, 1762, in the third year of our reign.

His Most Christian Majesty's Full Power.

LEWIS, by the grace of God, King of France and Navarre, To all who shall see these presents, Greeting. Whereas the Preliminaries, signed at Fontainebleau the 3d of November of the last year, laid the foundation of the peace re-established between us and our most dear and most beloved good Brother and Cousin the King of Spain, on the one part, and our most dear and most be-
loved

loved good Brother the King of Great-Britain, and our most dear and most beloved good Brother and Cousin the King of Portugal, on the other, We have had nothing more at heart, since that happy epoch, than to consolidate and strengthen, in the most lasting manner, so salutary and so important a work, by a solemn and definitive treaty between Us and the said powers. For these causes, and other good considerations, Us thereunto moving, We, trusting entirely in the capacity and experience, zeal and fidelity for our service, of our most dear and well-beloved Cousin, Cæsar Gabriel de Choiseul, Dukè of Praslin, Peer of France, Knight of our Orders, Lieutenant General of our Forces and of the province of Britany, Counsellor in all our Councils, Minister and Secretary of State, and of our Commands and Finances, We have named, appointed, and deputed him, and by these presents, signed with our hand, do name, appoint, and depute him, our Minister Plenipotentiary, giving him full and absolute power to act in that quality, and to confer, negotiate, treat, and agree, jointly with the Minister Plenipotentiary of our most dear and most beloved good Brother the King of Great-Britain, the Minister Plenipotentiary of our most dear and most beloved good Brother and Cousin the King of Spain, and the Minister Plenipotentiary of our most dear and most beloved good Brother and Cousin the King of Portugal, vested with full powers, in good form, to agree, conclude, and sign, such articles, conditions, conventions, declarations, definitive treaty, accessions, and other acts whatsoever, that he shall judge proper for securing and strengthening the great work of peace, the whole with the same latitude and authority, that We ourselves might do, if We were there in person, even though there should be something which might require a more special order than what is contained in these presents, promising on the faith and word of a King, to approve, keep firm and stable for ever, to fulfil and execute punctually, all that our said Cousin, the Duke of Praslin, shall have stipulated, promised, and signed, in virtue of the present full power, without ever acting contrary thereto, or permitting any thing contrary thereto, for any cause, or under any pretence whatsoever, as also to cause our letters of ratification

to be expedited in good form, and to cause them to be delivered, in order to be exchanged within the time that shall be agreed upon. For such is our pleasure. In witness whereof, we have caused our Seal to be put to these presents. Given at Versailles the 7th day of the month of February, in the year of Grace 1763, and of our reign the forty-eighth. Signed Lewis, and on the fold, by the King, the Duke of Choiseul. Sealed with the great Seal of yellow Wax.

His Catholick Majesty's full Power:

DON Carlos, by the grace of God, King of Castille, of Leon, of Arragon, of the two Sicilies, of Jerusalem, of Navarre, of Granada, of Toledo, of Valencia, of Galicia, of Majorca, of Seville, of Sardinia, of Cordova, of Corfica, of Murcia, of Jaen, of the Algarves, of Algecira, of Gibraltar, of the Canary Islands, of the East and West-Indies, Islands and Continent, of the Ocean, Arch-Duke of Austria, Duke of Burgundy, of Brabant and Milan, Count of Hapsburg, of Flanders, of Tirol and Barcelona; Lord of Biscay and of Molino, &c. Whereas preliminaries of a solid and lasting peace between this Crown, and that of France on the one part, and that of England and Portugal on the other, were concluded and signed in the Royal Residence of Fontainebleau, the 3d of November of the present year, and the respective ratifications thereof exchanged on the 22d of the same month, by Ministers authorized for that purpose, wherein it is promised, that a definitive treaty should be forthwith entered upon, having established and regulated the chief points upon which it is to turn: and whereas in the same manner as I granted to you, Don Jerome Grimaldi, Marquis de Grimaldi, Knight of the Order of the Holy Ghost, Gentleman of my Bed-Chamber with employment, and my Ambassador Extraordinary to the most Christian King, my full power to treat, adjust, and sign the before-mentioned preliminaries, it is necessary to grant the same to you, or to some other, to treat, adjust, and sign the promised definitive treaty of peace as aforesaid: therefore, as you the said Don Jerome Grimaldi, Marquis de Grimaldi, are

are at the convenient place, and as I have every day fresh motives, from your approved fidelity and zeal, capacity and prudence, to entrust to you this, and other like concerns of my Crown, I have appointed you my Minister Plenipotentiary, and granted to you my full power, to the end, that, in my name, and representing my person, you may treat, regulate, settle and sign the said definitive treaty of peace between my Crown, and that of France on the one part, that of England, and that of Portugal on the other, with the Ministers who shall be equally and specially authorized by their respective Sovereigns for the same purpose; acknowledging, as I do from this time acknowledge, as accepted and ratified, whatever you shall so treat, conclude and sign; promising on my Royal Word, that I will observe and fulfill the same, will cause it to be observed and fulfilled, as if it had been treated, concluded and signed by myself. In witness whereof, I have caused these presents to be dispatched, signed by my hand, sealed with my privy seal, and countersigned by my underwritten Counsellor of State, and first Secretary for the department of State and of War. Buen Retiro, the tenth of December, 1762.

(Signed) I THE KING.

(And lower) *Richard Wall.*

Declaration of his most Christian Majesty's Plenipotentiary, with regard to the Debts due to the Canadians.

THE King of Great Britain having desired, that the payment of the letters of exchange and bills, which had been delivered to the Canadians for the necessaries furnished to the French troops, should be secured, his most Christian Majesty, entirely disposed to render to every one that justice which is legally due to them, has declared, and does declare, that the said bills, and letters of exchange, shall be punctually paid, agreeably to a liquidation made in a convenient time, according to the distance of the places, and to what shall be possible, taking care, however, that, the bills and letters of exchange, which the French subjects may have at the time of this declaration, be not confounded with the bills and letters of exchange,

which are in the possession of the new subjects of the King of Great Britain.

In witness whereof, we the underwritten Minister of his most Christian Majesty, duly authorized for this purpose, have signed the present declaration, and caused the Seal of our Arms to be put thereto.

Done at Paris the 10th of February, 1763.

(L. S.) *Choiseul Duc de Praslin.*

Declaration of his Britannick Majesty's Ambassador Extraordinary and Plenipotentiary, with regard to the Limits of Bengal in the East Indies.

WE the underwritten Ambassador Extraordinary and Plenipotentiary of the King of Great Britain, in order to prevent all subject of dispute on account of the limits of the Dominions of the Subah of Bengal, as well as of the Coast of Coromandel and Orixá, declare, in the Name and by order of his said Britannick Majesty, that the said Dominions of the Subah of Bengal shall be reputed not to extend farther than Yanaon exclusively, and that Yanaon shall be considered as included in the north part of the Coast of Coromandel or Orixá.

In witness whereof, we the underwritten Minister Plenipotentiary of his Majesty the King of Great Britain, have signed the present declaration, and have caused the Seal of our Arms to be put thereto.

Done at Paris the 10th of February, 1763.

(L. S.) *Bedford, C. P. S.*

Accession of his most Faithful Majesty.

In the Name of the Most Holy and Undivided Trinity, Father, Son, and Holy Ghost. So be it.

BE it known to all those to whom it shall, or may, belong; the Ambassadors and Plenipotentiaries of his Britannick Majesty, of his most Christian Majesty, and of his Catholick Majesty, having concluded and signed at Paris, the 10th of February of this year, a definitive treaty of peace, and separate articles, the tenor of which is as follows.

[Fiat

[Fiat Infertio.]

And the said Ambassadors and Plenipotentiaries having in a friendly manner invited the Ambassador and Minister Plenipotentiary of his most Faithful Majesty to accede thereto in the Name of his said Majesty ; the underwritten Ministers Plenipotentiary, viz. On the part of the most serene and most potent Prince, George the Third, by the grace of God, King of Great-Britain, France, and Ireland, Duke of Brunswick and Lunenbourg, Arch-Treasurer, and Elector of the Holy Roman Empire, the most illustrious and most Excellent Lord, John Duke and Earl of Bedford, Marquess of Tavistock, &c. Minister of State to the King of Great Britain, Lieutenant-General of his forces, Keeper of his Privy Seal, Knight of the most noble order of the Garter, and his Ambassador Extraordinary and Plenipotentiary to his most Christian Majesty ; and on the part of the most Serene and most Potent Prince, Don Joseph the first, by the Grace of God, King of Portugal and of the Algarves, the most Illustrious and most Excellent Lord, Martin de Mello and Castro, Knight professed of the Order of Christ, of his most Faithful Majesty's Council, and his Ambassador and Minister Plenipotentiary to his most Christian Majesty, in virtue of their full powers, which they have communicated to each other, and of which copies shall be added at the end of the present act, have agreed upon what follows ; viz. His most Faithful Majesty desiring most sincerely to concur in the speedy re-establishment of peace, accedes, in virtue of the present act, to the said definitive treaty and separate articles, as they are above transcribed, without any reserve or exception, in the firm confidence that every thing that is promised to his said Majesty, will be *bonâ fide* fulfilled, declaring at the same time, and promising to fulfill, with equal fidelity, all the articles, clauses, and conditions, which concern him. On his side, his Britannick Majesty accepts the present accession of his most Faithful Majesty, and promises likewise to fulfill, without any reserve or exception, all the articles, clauses, and conditions contained

tained in the said definitive treaty and separate articles above inserted. The ratifications of the present treaty shall be exchanged in the space of one month, to be computed from this day, or sooner if it can be done.

In witness whereof, we, Ambassadors and Ministers Plenipotentiary of his Britannick Majesty, and of his most Faithful Majesty, have signed the present act, and have caused the seal of our arms to be put thereto.

Done at Paris, the 10th of February 1763.

Bedford, C. P. S. *De Mello et Castro.*
(L. S.) (L. S.)

His most faithful Majesty's full Power.

DON Joseph, by the grace of God, King of Portugal, and of the Algarves, on this side the Sea, and on that side in Africa. Lord of Guinea, and of the conquest, navigation, commerce of Ethiopia, Arabia, Persia, and India, &c. I make known to those who shall see these my letters Patent, that desiring nothing more than to see the flame of war, which has raged so many years in all Europe, extinguished, and to co-operate (as far as depends upon me) towards its being succeeded by a just peace, established upon solid principles: and being informed, that great part of the belligerent powers entertain the same pacifick dispositions, I am to nominate a person, to assist, in my name, at the assemblies and conferences to be held upon this important business, who, by his nobility, prudence and dexterity, is worthy of my confidence: whereas these several qualities concur in Martin de Mello de Castro, of my council, and my Envoy Extraordinary and Plenipotentiary to the Court of London; and as from the experience I have, that he has always served me to my satisfaction, in every thing I have charged him with, relying, that I shall, from henceforward, have fresh cause for the confidence I have placed in him, I nominate and constitute him my Ambassador and Plenipotentiary, in order that he may, as such, assist, in my name, at any congresses, assemblies, or conferences, as well publick, as private, in which the business of pacification may be treated: negotiating and agreeing with the
Ambassadors

Ambassadors and Plenipotentiaries of the said belligerent powers, whatever may relate to the said peace; and concluding what he shall negotiate between me and any belligerent Kings and Princes, under the conditions, he shall stipulate in my Royal Name: therefore, for the above purposes, I grant him all the full powers and authority, general and special, which may be necessary; and I promise, upon the faith and word of a King, that I will acknowledge to be firm and valid, and will ratify within the time agreed upon, whatever shall be contracted and stipulated by my said Ambassador and Plenipotentiary, with the aforesaid Ambassadors and Ministers of the belligerent Kings and Princes, who shall be furnished by them with equal powers: In witness whereof, I have ordered these presents to be made out, signed by myself, sealed with the Seal of my Arms thereunto affixed, and countersigned by my Secretary and Minister of State for foreign affairs and war. Given at the Palace of our Lady of Ajuda, the eighteenth day of September, of the year from the Birth of our Lord Jesus Christ, 1762.

THE KING.

(*Locus Sigilli Pendentis.*) Don Lewis da Cunha.

Letters Patent whereby your Majesty is pleased to nominate Martin de Mello de Castro to be your Ambassador and Plenipotentiary for the negotiation and conclusion of peace, in the form above-set forth.

For your Majesty's Inspection.

Declaration of his most Faithful Majesty's Ambassador and Minister Plenipotentiary, with regard to alternating with Great Britain and France.

WHEREAS on the conclusion of the negotiation of the definitive treaty, signed at Paris this 10th day of February, a difficulty arose as to the order of signing, which might have retarded the conclusion of the said treaty. We the underwritten, Ambassador and Minister Plenipotentiary of his most Faithful Majesty, declare, that the alternative observed, on the part of the King of Great Britain, and the most Christian King, with the most Faithful

Faithful King, in the act of accession of the court of Portugal, was granted by their Britannick and most Christian Majesties, solely with a view to accelerate the conclusion of the definitive treaty, and by that means, the more speedily to consolidate so important and so salutary a work; and that this complaisance of their Britannick and most Christian Majesties shall not be made any precedent for the future; the court of Portugal shall not alledge it as an example in their favour; shall derive therefrom no right, title, or pretension, for any cause, or under any pretence whatsoever.

In witness whereof, We, Ambassador and Minister Plenipotentiary of his most Faithful Majesty, duly authorized for this purpose, have signed the present declaration, and have caused the seal of our arms to be put thereto.

Done at Paris, the 10th of February, 1763.

Martin de Mello et Castro.
(L. S.)

Convention for the Liquidation of the Canada Paper Money, belonging to the Subjects of Great-Britain, between the King of Great-Britain, and the Most Christian King, [Printed from the Copy, published by Authority.]

IN order to terminate the discussions, which have too long subsisted in regard to the liquidation of this paper belonging to the subjects of Great-Britain, the two courts have named and appointed their respective Ministers Plenipotentiary, viz. his Britannick Majesty, the Sieur Henry Seymour Conway, Lieutenant-General of his Armies, and one of his Principal Secretaries of State; likewise authorized to the same effect by the Proprietors of the said Canada paper; and his most Christian Majesty, the Sieur Count de Guerchy, Knight of his Orders, Lieutenant-General of his Armies, Colonel Commandant of his Regiment of Foot, and his Ambassador to his Britannick Majesty; who, after having communicated their full powers and authorisations in due form to each other, copies where-
of

of are transcribed at the end of the present Convention, have agreed to the following articles.

Article I. His Excellency General Conway, invested with the above-mentioned full powers and authorisations, accepts for the British proprietors and holders of the Canada paper, and in their names, the reduction of the said paper on the footing of fifty per centum for the bills of exchange, and such part of the certificates as are entitled to the said payments, and of seventy-five per centum for the ordonnances, cards, and the remaining part of the certificates; and to receive, for the fifty and twenty-five per centum of the reduced principal, reconnoissances, or rent-contracts, which shall bear an annual interest, from the first day of January, 1765, of four and one half per centum, to be subjected to the Dixième from the said first day of January, 1765, in as many reconnoissances as it shall suit the holders to divide their liquidated principals into, provided that each reconnoissance shall not be for more than one thousand livres Tournois: which reconnoissances shall share the same fate for their reimbursement as the other debts of the state, and shall not be subjected to any reduction whatsoever. The whole conformably to the arrets of the Council issued in France the 29th June, 2d July 1764, 29th and 31st December, 1765.

II. In order to ascertain the British property of this paper at the period, and, according to the meaning of the declaration annexed to the last treaty of peace with France, each proprietor or holder shall be obliged to make a declaration thereof upon oath, in the form and terms which shall be hereafter prescribed, in consequence of a further delay, which his most Christian Majesty grants them to the 1st of October, 1766, after the expiration of which, such of the said papers, as shall not have been declared and tendered to be liquidated, shall remain excluded, null, and of no value.

III. These declarations on the part of the proprietors and holders of this paper, shall be accompanied by an oath, to be taken before the Lord-Mayor of the city of London, or such other magistrate in person as shall be named for that purpose, in such place, and at such times, as shall be specified, in the presence of the Commissaries

day of _____ fundry Canada papers, amount-
 ing to _____, and that I did sell the same,
 (or _____ of the same,) to D _____, which were
 guarantied to, and by me, to be British property.

So help me God.

This oath to be repeated by each intermediate purchaser back to the person who brought them, or received them, from Canada.

IX. The Canadian proprietors, or those who represent them in London, being the actual possessors, or no longer so, shall take the following oath, with the modifications expressed, suitable to the different circumstances under which they may find themselves,

I _____ affirm and solemnly swear, on the Holy Evangelists, that the papers mentioned in the foregoing declaration.

[If the property of a Canadian] are my own property, having had them in my possession at the date of the last treaty of peace, (or having bought them in Canada, from whence I brought them.)

[If in the possession of a British representative of a Canadian subject] are my own property, having bought them (or received them) from Canadian subjects.

[If not in his possession] were my own property, having bought them, (or received them) from Canadian subjects, and that I sold the same, (or part of the same) to _____ the _____

[If these papers came from France, or elsewhere, being the property of Canadian or British subjects] were sent to me from France, (or elsewhere) on account of _____ as British property.

[If sold] and that I sold the same, (or part of the same) to _____ the _____

[Foreigners, who shall have sent them to England, shall take the same oath as the intermediate proprietors, as expressed in the eighth article preceeding]

[Foreigners who shall have received them from Canada, or Great-Britain]

I _____ affirm and solemnly swear, on the Holy Evangelists, that at the date of the last treaty of peace, I held _____

held in trust, or that since that date I have received from
 in Canada (or in Great-Britain) sundry
 Canada papers, amounting to _____ on the
 proper account of _____ an actual British Canadian
 subject, and that I have sold, (delivered) (or sent) the
 same, (or part of the same) to _____ as British
 property.

On these different oaths being judicially and legally made,
 the respective Commissaries shall be obliged to grant to the
 holders of the papers; that shall have come from France,
 (or elsewhere) a certificate of their being British property,
 as well as to the holders who shall have received them di-
 rectly from Canada.

[If the papers have been brought from Canada, on ac-
 count of any other than the person who sent them]

_____ have been sent to me directly by _____ of
 in Canada, who purchased them from British Candian sub-
 jects, upon commission, for account of _____ of

[Lastly, If the papers are for account of Canadians,
 and transmitted by them] _____ that I received them
 from _____ of _____ in Canada, and for his account.

[All indifferently are to add]

I further swear, that the said paper were neither pur-
 chased, nor have been negotiated, in France as French pro-
 perty, nor acquired directly or indirectly from natives of
 France, who were the proprietors of them at the date of
 the last treaty of peace; and that no part of these papers
 were carried from Europe to Canada, in order to give
 French property the sanction of British property: which I
 affirm and solemnly swear.

So help me God.

X. Nevertheless, in case the actual proprietors, or
 holders, produce Bordereaux in good form, registered
 heretofore in Canada, in consequence of the orders of the
 English Governors, or declared in France as British pro-
 perty; and not liquidated within the time (for those de-
 clared in France,) that the registers for the declarations were
 opened for the French, it shall be sufficient that the pro-
 prietors, or holders so circumstanced, take the following oath.

I _____ affirm and solemnly swear, on the Holy
 Evangelists, that the papers mentioned in my foregoing
 declaration,

declaration, have been registered in Canada, (or in France) conformably to the annexed Bordereau, which I certify to be true.

So help me God.

XI. After the administration of the oaths, there shall, within the space of three days, be delivered to each actual proprietor or holder, a certificate of its being British property, by the Magistrate who administers the oaths; which certificate shall be revised and signed by the respective Commissaries or Deputies, and shall contain an account of each sort of paper, which shall have been therein proved British property, in order that, by means of this voucher, the possessor may present his paper, to the office of the Commission at Paris, there to be examined, revised, liquidated, and converted into reconnoissances, or rent contracts, according to the reduction fixed and agreed upon: every thing shall meet with all possible dispatch, and the holders of this paper shall be at no expence whatsoever.

XII. In case any unforeseen accident shall have deprived any actual proprietor of this paper of an intermediate proof between him and the first proprietor who received it from Canada, so as that the proofs which precede and follow that which ought to join them, and which is missing, seem to have report and belong to each other; in that case only the respective Commissaries or Deputies shall be empowered to admit the paper it relates to as British property, if they think proper, notwithstanding the deficiency which shall have broke the link of the proof: and if the respective Commissaries or Deputies shall chance to differ in opinion, the decision of the object in question, shall be referred to his Britannick Majesty's Secretary of State, and to the Ambassador of his most Christian Majesty.

XIII. In virtue of the foregoing arrangement, the court of France grants to the British proprietors of this paper an indemnification of premium of three millions of livres Tournois, payable in the following manner, viz. the sum of five hundred thousand livres Turnois, which shall be paid in specie to his Britannick Majesty's Ambassador at Paris, in the course of the month of April next; and the sum of two millions five hundred thousand livres Tournois, in reconnoissances, or rent contracts, of the same nature as those

those which shall be given for the fifty and twenty-five per cent. on the capitals of the bills of exchange, cards, ordonnances, &c. but the interest of which shall only run from the first of January, 1766; which sum of two millions and an half of livres Turnois, shall be delivered to the aforesaid Ambassador immediately after the ratification and exchange of the present convention, in reconnoissance of one thousand livres Turnois each, on the express condition, that all the Canada paper belonging to British subjects, not liquidated, shall share the same fate for its reimbursement as French paper, and shall come in course of payment with the debts of the State, the reconnoissances or rent contracts whereof shall be paid as the other debts, without being subjected to any reduction whatsoever; and on the farther condition, that all the English proprietors of the said paper shall give up every particular indemnification from any cause and pretext whatsoever.

XIV. The solemn ratifications of the present convention, shall be exchanged in good and due form, in this city of London, between the two Courts, within the space of one month, or sooner if it be possible, to be reckoned from the day of signing the present convention.

In witness whereof, We, the underwritten Ministers Plenipotentiary of the said two Courts, have signed in their names, and by virtue of our full powers, the present convention, and caused it to be sealed with our Arms.

Done at London, this 29th day of March, 1766.

(L. S.) H. S. CONWAY.

Canada Paper,

Declaration made in Consequence of the Arrêt of Council of the 24th of Dec. 1762.

I the underwritten do declare, that I have in my Possession the Canada Papers here undermentioned, which belong to me, or belong to

Bills of Exchange.

Exercises.	Stamp of the Bills of Exchange.	Dates.	Numbers	Names of the Drawers.	Upon whom drawn.	To the Order of	When duc.	Sums.	Total per Exercises.
	An Account of general Expences.								
	Full Payment of the general Expences.								

Total of the Bills of Exchange ————

Billets de Monnoye, or Ordonnances.

N^o Receipt of the Treasurer of Canada for *Billets de Monnoye.*

<i>Billets de Monnoye</i> of	_____	£.	1000
of	_____		96
of	_____		50
of	_____		48
of	_____		24
of	_____		12
of	_____		6
of	_____		3
of	_____		1
of	_____		1

Total of the *Billets de Monnoye* and *Ordonnances* included Receipts of the Treasurer of Canada: }



To the Right Honourable Henry Seymour Conway, Esq;
 One of his Majesty's Principal Secretaries of State, &c.
 &c. &c.

The Memorial of the Committee of Merchants of London, appointed by the Holders and Proprietors of Canada Bills, to transact the Business relative thereto.

Humbly Sheweth,

THAT the thirteenth article of the convention made with the Court of France, for the final settlement of the Canada bills, is, of itself, insufficient to explain to the proprietors of the said bills, in what manner the sum of three millions of Livres, granted by the Court of France, as an indemnification, or premium, is to be distributed.

Therefore humbly solicit your Excellency to permit the following explanation (which is founded on the Committee's proposition for the payment of these papers, delivered on the 27th day of December last) to be annexed to the convention, and published therewith, for the information of all whom it may concern.

And your memorialists, as in duty bound, will ever pray, &c. &c. &c.

London, April 28, 1766.

BROOK WATSON.
 ROBERT ALLEN.
 FRANCIS RYBOT.
 ROBERT HUNTER.
 ISIDORE LINCH.
 CHARLES CROKAT.
 WM. GREENWOOD.
 ROBERT GRANT.
 DANIEL VIALARS.

The Committee's Explanation, relative to the distribution of the Three Millions of Livres granted by the Court of France, as a Premium or Indemnification in the Thirteenth Article of the foregoing Convention.

THIS indemnification having been granted by the Court of France, in consequence of repeated propositions made by the Committee appointed for the management of this business, and approved of by the proprietors and holders of the said papers, at various general meetings assembled for that purpose, at which the distribution of the said indemnification or premium, which was the basis of the convention since acceded to, was determined and agreed upon.

The Committee think it a duty incumbent on them, for the better information of every British proprietor, or holder of Canada paper, to publish the particulars of the said distribution, which they are now enabled to do with precision.

In order to form a judgment (as near as possible) of the value of each kind of paper, it will be necessary to lay before the public a state thereof, as it will stand reduced, agreeable to the terms of the convention, and an account of the proportional part of the indemnification or premium of three millions of Livres, which each species of paper will be entitled to receive, after the closing of the liquidation, *i. e.* the first day of October next.

By the most exact estimates which it has been possible to make, as well as by the registers of the Court of France, it appears that there still exists unliquidated,

Bills of Exchange and Certificates about - - - - -	}	4 Millions of Livres,
Ordonnances and Cards, &c. - - - - -	12	
	—	
Total	16	
	—	

Which when liquidated, and converted into reconnoissances, will produce as under :

Four millions paid at 50 per Centum - - - - -	}	2 Millions.
---	---	-------------

Twelve

Twelve Millions at 25 - - 3 Millions.

The Capital of the liquidated debt, 5 Millions.

The Distribution of the two Millions Five Hundred Thousand Livres in Reconnoissances, and the Five Hundred Thousand Livres in Specie, agreeable to the Proposition, in Consequence of which the same was obtained, will be as follows :

	In Reconnoissances.
<p>ON the ordonnances and other papers payable on the footing of 25 per Centum -</p>	<p>1,500,000 Livres</p>
<p>On the same, being a proportional part of the remaining Million of Reconnoissances, which is to be divided on the liquidated capital of the whole debt, which amounts to the computed sum of five Millions</p>	<p>600,000</p>
<p>Total</p>	<hr style="width: 100%;"/> <p>2,100,000 Livres in Reconnoissances.</p>

The 500,000 Livres in specie, being granted as an equivalent for the loss which would arise by receiving the $2\frac{1}{2}$ Millions for the indemnification in Reconnoissances, it must be proportionably divided in the same manner as the Reconnoissances, that is to say, if $2\frac{1}{2}$ Millions receive 500,000 Livres, what will 2,100,000 receive? Answer

To be divided in the Month of November next on the supposed twelve Millions of Ordonnances, Cards, &c. } 2,520,000 is } 2,520,000

On the Bills of Exchange, and such certificates as are paid on the footing of 50 <i>per</i> <i>Centum</i> , the remaining part of the Million of Recon- noiffances — —	}	400,000	
Proportion of the 500,000 in specie, being $\frac{1}{5}$ th or 20 <i>per</i> <i>Centum</i> on 400,000 — —	}	80,000	
Total on the bills of Exchange, &c. — —	}		480,000
Amount of indemnification granted — — — —	}		3,000,000

The above recited sum of three Millions of Livres will be paid by the Committee in the month of November next, to such proprietors who shall, in the month of November next, to such proprietors who shall, in all the month of October preceding, produce to them a certificate signed by the English Commissary, appointed to adjust the liquidation of these effects, certifying, that such sums as those on which the proprietors demand a proportion of the indemnification or premium, had been proved on oath to have been British property, in conformity to the tenor of the convention. This certificate to be accompanied with a Bordereau of liquidation made at Paris, and certified to be true by the Commissioners appointed by his most Christian Majesty to liquidate the Canada Bills.

- BROOK WATSON.
- ROBERT ALLEN.
- FRANCIS RYBOT.
- ROBERT HUNTER.
- ISIDORE LYNCH.
- CHARLES CROKAT.
- W. GREENWOOD.
- ROBERT GRANT.
- DANIEL VIALARS.

*Treaty of Commerce and Navigation between Great-Britain
and Russia.*

Article I: **L**A paix, amitié, & bonne intelligence, qui ont subsisté heureusement jusqu'ici entre leurs majestés de la Grande-Bretagne & de toutes les Russies, seront confirmées & établies par ce traité ; de manière que dès-à-présent, & pour l'avenir, il y aura entre la couronne de la Grande-Bretagne d'un côté, & la couronne de toutes les Russies de l'autre, comme aussi entre les états, païs, roïaumes, domaines, & territoires, qui leur obéissent, une paix, amitié, & bonne intelligence, vraie, sincère, ferme, & parfaite, lesquelles dureront pour toujours, & seront observées inviolablement tant par mer que par terre, & sur les eaux douces ; & les sujets, peuples & habitants de part & d' autre, de quelque état ou condition qu'ils puissent être, se traiteront mutuellement avec toute sorte de bienveillance & assistance possible, sans se faire aucun tort ou dommage quelconque.

II. Les sujets des deux Hautes Puissances contractantes auront parfaite liberté de navigation & de commerce dans tous leurs états situés dans l'Europe, où la navigation & le commerce est permis à présent, ou sera permis à l'avenir, par les Hautes Parties Contractantes, à quelque autre nation.

III. Il est convenu que les sujets des deux Hautes Parties Contractantes puissent entrer, commercer, & demeurer, avec leurs vaisseaux, bâtimens, & voitures, chargés ou vuides, dans tous les ports, places, & villes, où cela est permis aux sujets de quelque autre nation que ce soit ; & les matelots, passagers, & les vaisseaux, tant Britanniques que Russes (quoique parmi leurs équipages, il se trouve des sujets de quelque autre nation étrangère) seront reçus & traités comme la nation la plus favorisée ; & ni les matelots, ni les passagers, ne seront point forcés d'enter, contre leur volonté, dans le service d'aucune des deux puissances contractantes, à l'exception de ceux de leurs sujets dont elles pourroient avoir besoin pour leur propre service, & si un domestique ou matelot déserte son service ou vaisseaux, il sera rendu. Il est accordé pareillement, que les

ſujets des hautes parties contractantes puiſſent acheter toute ſorte de choſes, dont illſ pourroient avoir beſoin, au prix courant ; racommoder et radouber leurs vaiſſeaux, bâtimens, & voitures ; acheter toutes les proviſions néceſſaires pour leur ſubſiſtance ou vóyage ; demeurer ou partir à leur bon plaisir, ſans moleſtation ou empêchement, pourvû qu'ils ſe conforment aux loix et ordonnances des états reſpectifs des hautes parties contractantes où ils ſe trouveront : pareillement les vaiſſeaux Ruſſes, qui ſe trouveront en mer pour cauſe de navigation, & qui ſeront recontrés par des vaiſſeaux Anglois, n'en ſeront point impêchés dans leur navigation, pourvû que dans la mer Britannique ils ſe conforment à l'usage, mais on leur donnera toute ſorte d'assistance, tant dans les ports de la domination de la Grande-Bretagne, qu'en pleine mer.

IV. Il eſt convenu, que les ſujets de la Grande-Bretagne puiſſent apporter, par eau ou par terre, dans toutes, ou dans telles provinces de la Ruſſie que ce ſoit, où il eſt permis aux ſujets de quelque autre nation de commercer, toutes ſortes de marchandises ou d'effets, dont le commerce ou l'entrée n'eſt pas defenduë ; & pareillement que les ſujets de la Ruſſie puiſſent apporter, acheter, & vendre librement, dans tous, ou dans tels états de la Grande-Bretagne que ce ſoit, où il eſt permis aux ſujets de quelque autre nation de commercer, toute ſorte de marchandises & d'effets, dont le commerce & l'entrée n'eſt pas defenduë ; ce qui s'entend également des manufactures, & des productions des provinces Aſiatiques, pourvû que cela ne ſoit pas defendu actuellement par quelque Loi à-présent en force dans la Grande-Bretagne, toute ſorte de marchandises, et d'effets, que les ſujets de quelque autre nation y peuvent acheter & transporter ailleurs, particulièrement de l'or & de l'argent travaillé, excepté l'argent monnoié de la Grande-Bretagne ; et pour conſerver une juſte égalité entres les marchands Ruſſes & Britanniques, par raport à la ſortie des denrées & marchandises, il eſt encore ſtipulé, que les ſujets de la Ruſſie paieront les mêmes droits de ſortie, que payent les marchands Britanniques, ſur les mêmes effets, en les transportant hors des ports de la Ruſſie : mais alors chaque haute partie contractante ſe reſerve pour elle la liberté de faire, dans l'entérieur de ſes états

états, tel arrangement particulier qu' elle trouvera bon, pour encourager & étendre, sa propre navigation. Les marchands Russes jouiront des mêmes libertés & privilèges dont jouissent les marchands Britanniques de la compagnie de Russie ; & puisque le dessein des deux hauties parties contractantes, & le but de ce traité, tendent à faciliter le commerce réciproque de leurs sujets, & à en étendre les bornes & les avantages mutuels, il est convenu que les marchands Britanniques commercans dans les états de la Russie auront la liberté, en cas de mort, d'un besoin extraordinaire, ou d'une nécessité absolue, lorsqu'il, ne reste aucun autre moïen d'avoir de l'argent, ou en cas de banqueroute, de disposer de leurs effets, soit en marchandises Russes ou étrangères, de la manière que les personnes intéressées le trouveront le plus avantageux. La même chose s'observera à l'égard des marchands Russes dans les états de la Grand-Bretagne. Tout ceci s'entend avec cette restriction, que toute permission, de part & d'autre, spécifiée dans cet article, ne soit en rien contraire aux loix du pais, & que les marchands Britanniques, aussi bien que les marchands Russes, & leurs commis, se conforment, des deux côtés ponctuellement aux droits, statûts, & ordonnances du pais où ils commerceront, pour obvier à toute sorte de fraudes & de prétextes. C'est-pourquoi le jugement des dits cas arrivant aux comptoirs Britanniques en Russie, dépendra à St. Peterbourg du college de commerce, & dans les autres villes, où il n'y a point de college de commerce, des Tribunaux qui connoissent les affaires de commerce.

V. Il est convenu que les sujets de la Grande-Bretagne, s'ils n'ont point de rixdollers pour païer les doïanes, ou autres droits, pour les marchandises qu'ils ont fait entrer ou sortir, pourront païer en autre monnoïe étrangère d'un titre connu & accredité dans le public, égal aux rixdollers, ou en monnoïe courant de Russie, le rixdoler évalué à cent-vingt-cinq co-pekes.

VI. Toute assistance & dépêche possible seront données pour la charge, & la décharge des vaisseaux, ainsi que pour l'entrée & la sortie de leurs marchandises, selon les réglemens faits à ce sujet, & ils ne seront en aucune manière retenus, sous les peines énoncées dans les dits réglemens.

Pareillement si les Sujets de la Grande-Bretagne font des contrâts avec quelque chancellerie ou college que ce soit, pour livrer certaines marchandises ou effets, sur la déclaration que ces marchandises sont prêtes à être livrées, & après qu'elles auront été livrées actuellement dans le terme marqué dans ces contrâts, elles seront recûës, & tout-de-suite les comptes seront réglés & liquidés entre le dit college ou chancellerie & les marchands Britanniques, dans le tems qui aura été fixé dans les mêmes contrâts. C'est de la même facon qu'on en agira dans les états de la Grande-Bretagne à l'égard des marchands Russes.

VII. Il est convenu que les Sujets de la Grande-Bretagne puissent dans toutes les villes & places de la Russie, où il est permis à quelqu'autre nation de commercer, paier les marchandises achetées en la même monnoie courante de Russie, qu'ils ont pris pour leurs marchandises vendûës, à moins que dans leurs contrâts ils n'aient stipulé le contraire ; ce qui doit s'étendre également des marchandises Russes dans les états de la Grande-Bretagne.

VIII. Dans les endroits où les embarquemens se font ordinairement, il sera permis aux Sujets des hautes parties contractantes de charger sur leurs vaisseaux ou voitures, & de transporter, par eau & par terre, toutes sortes de marchandises qu'ils auront achetées, (à l'exception de celles dont la sortie est défenduë) en payant la doüane, pourvu que ces vaisseaux & voitures se conforment aux loix.

IX. Les Sujets des hautes parties contractantes ne paieront pas plus de droits pour l'entrée & la sortie de leurs marchandises que n'en paient les Sujets des autres nations. Néanmoins, pour prévenir, des deux côtés, les défrauda-tions de la doüane ; si l'on venoit à découvrir des marchandises qu'on aura fait entrer clandestinement, & sans paier la doüane, elles seront confisquées ; mais, à cela près, on n'infligera point d'autres châtimens aux marchands des deux côtés.

X. Il sera permis aux Sujets des deux hautes parties contractantes, d'aller, venir, & commercer librement, dans les états avec lesquels l'une ou l'autre de ces parties, se trouvera présentement, ou à l'avenir, en guerre ; bien entendu qu'ils ne portent point de munitions à l'ennemi.

On en excepte, néanmoins, les places actuellement bloquées, ou assiégées, tant par mer que par terre ; mais en tout autre tems, & à l'exception de munitions de guerre, les susdits sujets pourront transporter dans ces places toute autre sorte de marchandises, ainsi que de passagers, sans le moindre empêchement. Quant à la visite des vaisseaux marchands, les vaisseaux de guerre & les armateurs se comporteront aussi favorablement que la raison de guerre pour lors existante pourra jamais le permettre, vis-à-vis des puissances les plus amies qui resteront neutres, en observant, le plus qu'il sera possible, les principes & les règles du droit des gens généralement reconnus.

XI. Tous les canons, mortiers, armes à feu, pistolets, bombes, granades, boulets, bales, fusils, pierres à feu, mèches, poudre, salpêtre, soufre, curiaffes, piques, épées, ceinturons, poches à cartouche, selles & brides, au-delà de la quantité qui peut être nécessaire pour l'usage du vaisseau, ou au-delà de celle que doit avoir chaque homme servant sur le vaisseau & passager, seront réputés provisions ou munitions de guerre ; & s'il s'en trouve, ils seront confisqués, selon les loix, comme contrebande, ou effets prohibés : mais ni les vaisseaux, ni les passagers, ni les autres marchandises qui se trouveront en même tems, ne seront point détenus, ni empêchés de continuer leur voyage.

XII. Si, ce qu' à Dieu ne plaise, la paix venoit à se rompre entre les deux hautes parties contractantes, les personnes, les vaisseaux, & les marchandises, ne seront pas détenus ni confisqués ; mais il leur sera accordé, pour le moins, le terme d'un an, pour vendre disposer ou emporter leurs effets, & se retirer où bon leur semblera ; ce qui doit s'entendre également de tous ceux qui se trouveront au service de mer & de terre ; & il leur sera permis encore, qu'avant ou à leur départ ils pourront configner les effets dont ils n'auront pas disposé, aussi bien que les dettes qu'ils aurent à prétendre, à telles personnes qu'ils jugeront à-propos, pour en disposer à leur volonté & profit ; lesquelles dettes les débiteurs seront obligés de payer, de même que si la rupture n'avoit pas eu lieu.

XIII. En cas de naufrage arrivé dans un endroit, appartenant à l'une ou à l'autre des hautes parties contractantes

tes non seulement il fera donné toute sorte d'assistance aux malheureux, & il ne leur sera fait aucune violence ; mais encore les effets qu'ils auront jetté du vaisseau dans la mer, ne leur feront point celés ni retenus ou endommagés sous quelque prétexte que ce soit : bien au contraire les susdits effets & marchandises leur seront conservés & rendus, en donnant une récompense modique à ceux qui auront aidé à sauver leur personnes, leurs vaisseaux, & leurs effets.

XIV. Il sera permis aux marchands Britannique de bâtir, acheter, vendre & louer, des maisons dans tous les états & villes de la Russie, exceptant seulement quant à la permission de bâtir & d'acheter des maisons dans les villes de la domination Russe qui ont des droits de Bourgeoisie particuliers, & des privilèges à ce contraires ; & il est nommément spécifié qu' à St. Peterbourg, Moscow, & Archangel, les maisons que les marchands Britanniques auront achetées ou faites bâtir seront exemptes de tout logement, aussi longtems qu'elles leur appartiendront, & qu'ils y logeront eux-mêmes ; mais pour les maisons qu'ils donneront ou prendront à louage, elles seront sujettes à toutes les charges de ville, le locataire & le propriétaire s'accordant entr'eux à ce sujet. Pour ce qui est de toute autre ville de Russie, les maisons qu'ils acheteront ou feront bâtir, de même que celles qu'ils prendront ou donneront à louage, ne seront point exemptes de logement. Il est pareillement permis aux marchands Russes de bâtir, acheter, vendre & louer des maisons dans la Grande-Bretagne & en Irlande, & d'en disposer de la même manière que font les sujets des nations les plus favorisées. Ils auront le libre exercice de la religion Grecque dans leurs maisons, ou dans les endroits destinés à cet effet ; de même les marchands Britanniques auront le libre exercice de la religion Protestante. Les sujets de l'une & de l'autre puissance, établis en Russie, ou dans la Grande-Bretagne, pourront disposer de leurs biens, & les laisser par testament à qui ils jugeront à propos suivant la coutume & les loix de leur propre pais.

XV. On accordera des passeports à tous les sujets Britanniques qui ont envie de quitter les états de Russie deux mois après qu'ils auront avertis du dessein qu'ils ont de partir, sans obliger à donner caution ; & si dans ce tems il ne paroît aucune juste cause pour les retenir, on les laissera aller

aller, & ils ne feront pas obligés de s'adresser pour cela ailleurs qu'au college de commerce, ou à celui qui pourroit dorenavant être établi à sa place. La même facilité sera accordée, en pareille occasion, suivant l'usage du pais, aux marchands Russes qui voudront quitter les états de la Grande-Bretagne.

XVI. Les marchands Britanniques, qui loueront, ou tiendront des domestiques, seront obligés de se conformer, à ce sujet, aux loix de cet empire. Ce que les marchands Russes seront également obligés de faire dans la Grande-Bretagne.

XVII. Dans tous les procès & autres affaires, les marchands Britanniques ne seront justiciables que du seul college de commerce, ou de celui qui sera établi à l'avenir pour l'administration de la justice entre les marchands : s'il arrivoit cependant, que les marchands Britanniques eussent des procès en quelques villes éloignées du susdit college de commerce, tant eux que leurs parties, porteront leurs plaintes au magistrat des dites villes, bien entendu que les marchands Britanniques auront le droit d'appeller de la sentence du magistrat, & de reclamer celle du college de commerce, s'ils se trouvent lésés. Les marchands Russes qui se trouvent dans les états de la Grande-Bretagne auront réciproquement la même protection & justice, selon les loix de ce royaume, qu'y ont les autres marchands étrangers, & seront traités comme les sujets de la nation la plus favorisée.

XVIII. Les marchands Britanniques qui se trouvent en Russie, & les marchands Russes que se trouvent dans la Grande-Bretagne, ne seront pas obligés de montrer leurs livres ou papiers à qui que ce soit, si ce n'est pour faire preuve dans les cours de justice : encore moins les dits livres ou papiers ne leur seront pris ou retenus. Si le cas arrivoit cependant, que quelque marchand Britannique fit banqueroute, il sera justiciable, à St. Petersbourg, du college de commerce, ou de celui qui sera établi à l'avenir pour l'administration de la justice dans les affaires de négoce, & dans les autres villes éloignées, du magistrat de la ville, & il sera procédé à son égard selon les loix qui sont, ou seront faites à ce sujet. Cependant si les marchands Britanniques, sans faire banqueroute, refusoient de paier leurs dettes soit aux caisses de sa Majesté Impériale, soit aux particuliers,

il sera permis de mettre l'arrêt sur une partie de leurs effets, équivalente à leurs dettes : & au cas que ces effets n'ye suffisent pas, ils pourront être arrêtés eux-mêmes, & retenus jusqu'à ce que la majeure partie de leurs créanciers, tant à l'égard du nombre que de la valeur de leurs demandes respectives, consente à les élargir. Quant à leurs effets sur lesquels on aura mis l'arrêt, ils resteront en dépôt entre les mains de ceux qui seront nommés & dûment autorisés pour cet effet, par le plus grand nombre des créanciers, comme ci-dessus spécifié ; lesquels substitués seront obligés d'apprécier les effets le plutôt possible, & d'en faire une distribution juste & équitable à tous les créanciers, à proportion de leurs demandes respectives. La même procédure sera suivie, en pareil cas, à l'égard des marchands Russes dans les états de la Grande-Bretagne, & ils y seront protégés comme il est réglé dans l'article précédent.

XIX. En cas de plaintes & de procès, trois personnes de bonne réputation & sans reproche, d'entre les marchands étrangers, seront, à l'égard aux circonstances, nommées par le college de commerce, & si ou il n'y en a point, par le magistrat, pour examiner les livres & papiers des plaideurs ; & le rapport qu'elles auront donné au college de commerce, ou au magistrat, de ce qu'ils auront trouvé dans les dits livres & papiers, sera tenu pour une bonne preuve.

XX. Les douanes auront soin d'examiner les domestiques ou les commis des marchands Russes, lorsqu'ils font enrégistrer les marchés, s'ils ont pour cela les ordres ou pleins-pouvoirs de leurs maîtres ; & s'ils n'en n'ont pas, ils ne feront point crûs. On procédera de la même manière avec les domestiques des marchands Britanniques ; & lorsque les dits domestiques, aiant des ordres ou pleins-pouvoirs de leurs maîtres, auront fait enrégistrer les marchandises pour le compte de leurs maîtres, ceux-ci en seront responsables, tout comme s'ils les avoient fait enrégistrer eux-mêmes. Tous les domestiques Russes employés dans les boutiques seront enrégistrés pareillement, & leurs maîtres répondront pour eux dans les affaires de négoce, & dans les marchés qu'ils auront faits en leur nom.

XXI. En cas que les marchands Russes, qui doivent aux marchands Britanniques, se retirent des lieux de leur demeure, en d'autres endroits ou districts, le college de commerce,

merce, après que les plaintes lui en auront été faites, & les preuves de ces dettes données, les citera trois fois, en leur accordant un terme suffisant pour comparoître en personne ; & s'ils le laissent passer sans comparoître, let dit college les condamnera, & enverra, au fraix du demandeur, un exprès aux gouverneurs & aux woivodes, avec ordre de mettre la sentence en exécution, & obligera ainsi les débiteurs à paier les sommes déclarées.

XXII. Le brock sera établi avec justice, & les brockers seront responsables pour la qualité des marchandises, & les emballages frauduleux, & tenus, après des preuves suffisantes contre eux, de paier les pertes qu'il ont caulées.

XXIII. On fera un réglemeut pour prévenir les abus qui peuvent se faire dans les emballages des cuirs, du chanvre, & du lin ; & sil arrive quelque dispute entre l'acheteur et le vendeur, sur les poids ou la tare de quelques marchandises, la douane la décidera selon l'équité.

XXIV. Pour une plus grande facilité & encouragement au commerce de la Grande-Bretagne, il est accordé qu'à l'avenir les étoffes de laine d'Angleterre ci-après spécifiées, ne paieront pas plus de droit d'entrée, que ce qui est spécifié dans cet article ; favoir : le drap d'Angleterre pour soldat ne paiera que deux copekes en rixdoler l'archine de droit d'entrée ; le gros drap du comté d'York, connu dans le Tarif Ruffien par le nom de costrogy, ne paiera que deux copekes en lixdoler l'archine de droit d'entrée ; la flannelle large ne paiera qu'un copeke en rixdoler l'archine de droit d'entrée ; la flannelle étroite ne paiera que trois-quarts de copeke en rixdoler l'archine de droit d'entrée. Et en tout ce qui regarde les impôts & les droits païables pour l'entrée & la sortie des marchandises en général, les sujets de la Grande-Bretagne seront toujours considérés & traités comme la nation la plus favorisée.

XXV. La paix, amitié, & bonne intelligence durera pour toujours entre les Hautes Parties Contractantes ; & comme il est de coûtume de fixer un certain tems aux traités de commerce, les susdites Hautes Parties Contractantes sont convenues, que celui-ci durera vingt ans, à compter du jour de la signature ; après l'écoulement de ce terme, elles pourront s'accorder pour le renouveler & el prolonger.

XXVI. Le

XXVI. Le présent traité de navigation, & de commerce, fera approuvé & ratifié par sa Majesté Britannique, & sa Majesté Impériale, & les ratifications, en bonne & due forme, seront échangées, à St. Petersbourg, dans l'espace de trois mois, ou plutôt, si faire se peut, à compter du jour de la signature.

En foi de quoi nous sousignés, en vertu de pleins-pouvoirs qui nous ont été donnés par sa Majesté, le Roy de la Grande-Bretagne, & par sa Majesté Imperiale de toutes les Russies, avons signé le présent traité, & y avons fait apposer les cachets de nos armes.

Fait a St. Petersbourg, ce zome Juin 1766.

George Macartney, (L. S.) Nikita Panin, (L. S.)
 (L. S.) Ernest, Comter de Munich.
 (L. S.) Pr. A. Galitzen.
 (L. S.) Gr. Teploff.

TRANSLATION.

Treaty of Commerce and Navigation between Great-Britain and Russia.

Article I.

THE peace, friendship, and good understanding which have hitherto happily subsisted between their majesties of Great-Britain and of all the Russias, shall be ratified and confirmed by this treaty; so that from this time forward, and in all time coming, there shall be, between the crown of Great-Britain on the one hand, and the crown of all the Russias on the other; as also between the states, countries, kingdoms, dominions, and territories, that are subject to them, a true, sincere, firm, and perfect peace, friendship, and good understanding, which shall last for ever, and shall be inviolably observed, as well by sea as by land, and on the fresh waters; and the subjects, people, and inhabitants on the one part and on the other, of what state or condition soever they be, shall perform to each other all acts of kindness and assistance possible, and shall not do to one another any hurt or injury whatever.

II. The subjects of the two High Contracting Powers shall have full liberty of navigation and commerce in all the states situated in Europe, where navigation and commerce are permitted at present, or shall be permitted hereafter by the High Contracting Parties, to any other nation.

III. It

III. It is agreed, that the subjects of the two High Contracting Parties shall have leave to enter, trade, and remain with their ships, boats, and carriages, loaded or unloaded, in all the ports, places and towns, where such leave is granted to the subjects of any other nation; and the sailors, passengers and ships, as well British as Russian (though there should be among their crews subjects of some other foreign nation) shall be received and treated as the most favoured nation; and neither the sailors nor passengers shall be forced to enter, against their will, into the service of either of the two contracting powers, excepting, however, such of their subjects as they may want for their own proper service; and if a domestic or sailor desert his service or his ship, he shall be restored. It is likewise agreed, that the subjects of the High Contracting Parties shall have leave to purchase, at the current price, all sorts of commodities of which they may stand in need; to repair and refit their ships, boats, and carriages; to purchase all kinds of provisions for their present subsistence of their voyage; and to remain or depart, at their pleasure, without lett or impediment, provided they conform to the laws and ordinances of the respective states of the High Contracting Parties where they may happen to be. In like manner the Russian ships that are navigating the sea, and are met by English ships, shall not be impeded in the course of their voyage, provided, in the British sea, they conform to the established practice; but, on the contrary, shall receive from them all kind of assistance, as well in the ports of the dominion of Great-Britain, as in the open sea.

IV. It is agreed, that the subjects of Great-Britain shall be at liberty to bring, by water or by land, into all or into such provinces of Russia, where freedom of trade is permitted to the subjects of any other nation, all sorts of merchandize or effects, the traffic or entry of which is not prohibited: and in like manner the subjects of Russia shall be at liberty to bring, buy, and sell freely, in all, or in such states of Great-Britain where freedom of trade is permitted to the subjects of any other nation, all sorts of merchandize and effects, the traffic and entry of which is not prohibited; which is also to be equally understood of the manufactures and products of the Asiatic provinces, provided

vided this is not actually forbid by some law at present in force in Great-Britain; comprehending all sorts of merchandize effects, which the subjects of any other nation may buy there, and transport into other countries, particularly wrought gold and silver, excepting the current coin of Great-Britain: and in order to preserve a just equality between the Russian and British merchants, with regard to the exportation of provisions and other commodities, it is further stipulated, that the subjects of Russia shall pay the same duties on exportation, that are paid by the British merchants on exporting the same effects from the ports of the Russia; but then each of the High Contracting Parties shall reserve to itself the liberty of making, in the interior parts of its dominions, such particular arrangements as it shall find expedient for encouraging and extending its own navigation. The Russian merchants shall enjoy the same liberties and privileges as the British merchants of the Russian company enjoy; and, as the design of the two High Contracting Parties, and the intention of this treaty, is to facilitate the reciprocal commerce of their subjects, and to extend its limits and mutual advantages, it is agreed, that the British merchants trading in the dominions of Russia, shall have liberty, in case of death, a pressing exigency, or absolute necessity, when there are no other means of procuring money, or in case of bankruptcy, to dispose of their effects, whether of Russian or foreign merchandize, in such manner as the persons concerned shall find most advantageous. The same thing shall be observed with regard to the Russian merchants in the dominions of Great-Britain. All which, however, is to be understood with this restriction, that every sort of permission, on the one side and on the other, specified in this article, shall not be in any thing contrary to the laws of the country; and the British, as well as the Russian, merchants, and their factors, shall punctually conform to the rights, statutes, and ordinances of the country where they trade, in order to prevent all kind of fraud and imposition. 'Tis for this reason, that the decision of such events happening to the British compting-houses in Russia, shall be submitted, at Peterburg, to the college of commerce, and in other towns

towns where there is no college of commerce, to the tribunals that have the cognizance of commercial affairs.

V. It is agreed, that the subjects of Great-Britain, if they have no rixdollars to pay the customs or other duties for the merchandize which they import or export, shall be allowed to pay them in other foreign coin of a known name and established value, equal to that of the rixdollar, or in the current coin of Russia, the rixdollar valued at a hundred and twenty-five copecks (or pennies).

VI. All possible assistance and dispatch shall be given to the loading and unloading of ships, as well for the importation as the exportation of commodities, according to the regulations on that head established; and they shall not be in any manner detained, under the penalties denounced in the said regulations. In like manner, if the subjects of Great-Britain make contracts with any chancery or college whatever to deliver certain commodities or effects, upon notifying that such commodities are ready to be delivered, and after they shall have been actually delivered at the time specified in these contracts, they shall be received, and immediately thereupon the accounts shall be settled and cleared between the said college or chancery and the British merchants, at the time fixed in the said contracts. The same conduct shall be observed towards the Russian merchants in the dominions of Great-Britain.

VII. It is agreed, that the subjects of Great-Britain may, in all the towns and places of Russia, where freedom of trade is permitted to any other nation, pay for the commodities they purchase in the same current coin of Russia, which they take for the commodities they sell, unless in their contracts they have stipulated the contrary; and this ought to be equally understood of Russian commodities in the dominions of Great-Britain.

VIII. In the places where embarkations are ordinarily made, permission shall be granted to the subjects of the High Contracting Parties, to load their ships and carriages with, and transport by water or by land, all such sorts of commodities as they shall have purchased, (with an exception, however, of those whose exportation is prohibited) upon paying the customs, provided these ships and carriages conform to the laws.

IX. The

IX. The subjects of the High Contracting Parties shall pay no greater duty for the importation or exportation of their commodities, than is paid by the subjects of other nations. Nevertheless, to prevent on both sides the defrauding of the customs, if it should be discovered that commodities have been entered clandestinely, and without paying the customs, they shall be confiscated; but, besides that, no other punishment shall be inflicted upon the merchants on either side.

X. Permission shall be granted to the subjects of the two contracting parties to go, come, and trade freely with those states, with which one or other of the parties shall at that time, or at any future period, be engaged in war, provided they do not carry military stores to the enemy. From this permission, however, are excepted places actually blocked up, or besieged, as well by sea as by land; but, at all other times, and with the single exception of military stores, the abovesaid subjects may transport to these places all sorts of commodities, as well as passengers, without the least impediment. With regard to the searching of merchant-ships, men of war and privateers shall behave as favourably as the reason of the war, at that time existing, can possibly permit towards the most friendly powers that shall remain neuter; observing, as far as may be, the principles and maxims of the law of nations, that are generally acknowledged.

XI. All canon, mortars, muskets, pistols, bombs, grenades, bullets, balls, fuses, flint-stones, matches, powder, saltpetre, sulphur, breast-plates, pikes, swords, belts, cartouch-bags, saddles and bridles, beyond the quantity that may be necessary for the use of the ship; or beyond what every man serving on board the ship, and every passenger ought to have, shall be accounted ammunition or military stores; and, if found, shall be confiscated, according to law, as contraband goods or prohibited commodities; but neither the ships nor passengers, nor the other commodities found at the same time, shall be detained, or hindered to prosecute their voyage.

XII. If, what God forbid! the peace should come to be broke between the two High Contracting Parties, the persons, ships, and commodities, shall not be detained or confiscated;

confiscated ; but they shall be allowed, at least, the space of one year, to sell, dispose, or carry off their effects, and to retire where ever they please ; a stipulation that is to be equally understood of all those who shall be in the sea or land service : and they shall farther be permitted, either at or before their departure, to consign the effects which they shall not as yet have disposed of, as well as the debts that shall be due to them, to such persons as they shall think proper ; in order to dispose of them according to their desire ; and for their benefit ; which debts, the debtors shall be obliged to pay in the same manner as if no such rupture had happened.

XIII. In case of a shipwreck happening in any place belonging to one or other of the High Contracting Parties, not only shall all kind of assistance be given to the unhappy sufferers, and no sort of violence shall be offered to them ; but even the effects which they shall have saved themselves, or which they shall have thrown overboard into the sea, shall not be concealed, with-held, or damaged, under any pretext whatsoever : on the contrary, the above-said effects and commodities shall be preserved and restored to them, upon their giving a moderate recompence to those who shall have assisted them in saving their lives, their ships, and their commodities.

XIV. Permission shall be granted to British merchants to build, buy, sell, and hire houses in all the territories and towns of Russia ; excepting, however, with regard to the permission of building and buying houses in those towns of Russia ; which have particular rights of burgership and privileges inconsistent with such indulgence ; and it is expressly specified, that at St. Petersburg, Moscow, and Archangel, the houses which the British merchants shall buy, or cause to be built, shall be exempt from all quartering of soldiers, as long as they shall belong to them, and shall be inhabited by them ; but, with regard to the houses which they shall hire or let, these shall be subject to all the usual charges of the town ; the tenant and landlord settling that matter between them. As to every other town of Russia, the houses which they shall purchase, or cause to be built, in the same manner as those which they shall hire or let, shall not be exempted from the quartering of soldiers.

Permission shall likewise be granted the Russian merchants to build, buy, sell, and let houses in Great-Britain and Ireland in the same manner as is done by the subjects of the most favoured nations. They shall enjoy the free exercise of the Greek religion in their houses, or in such places as are destined for that purpose; and in like manner the British merchants shall enjoy the free exercise of the Protestant religion. The subjects of either power, established in Russia or in Great-Britain, shall have power to dispose of their estates, and to leave them by will to whomsoever they think proper, following the custom and laws of their own proper country.

XV. Passports shall be granted to all British subjects, who desire to quit the dominions of Russia, two months after they shall have signified their design of departing, without obliging them to give security; and if, in that time, there appear no just cause for detaining them, they shall be allowed to go; nor shall they be obliged to apply for that purpose, to any other quarter than to the college of commerce, or to that which may hereafter be established in its place. The same easy methods of departing shall, upon like occasions, and agreeable to the custom of the country, be granted to Russian merchants, who want to quit the dominions of Great-Britain.

XVI. British merchants, who shall hire or employ domestics, shall, in this particular, be obliged to conform themselves to the laws of this empire. And Russian merchants shall be equally obliged to do the same in Great-Britain.

XVII. In all law-suits and other proceedings, the British merchants shall be amenable only to the college of commerce, or to that which shall hereafter be established for the administration of justice between merchants. But, if it should happen that the British merchants should have law-suits in any place at a distance from the abovementioned college of commerce, both they and the adverse party shall prefer their complaints to the magistrate of the said towns, with this proviso, however, that the British merchants shall have the right to appeal from the sentence of the magistrate, and to demand that of the college of commerce, if they find themselves aggrieved. The Russian

fian merchants in the dominions of Great-Britain, shall, in their turn, have the same protection and justice, which, according to the laws of that kingdom, are granted to other foreign merchants, and shall be treated as the subjects of the most favoured nation.

XVIII. The British merchants in Russia, and the Russian merchants in Great-Britain, shall not be obliged to shew their books or papers to any person whatever, unless it be to make proof in the course of justice ; still less shall the said books or papers be taken or detained from them. If, however, the case should happen, that any British merchant becomes bankrupt, he shall be amenable at St. Petersburg to the college of commerce, or to that which shall hereafter be established for the administration of justice in mercantile affairs, and in other remote towns, to the magistrate of the place ; and he shall be proceeded against, according to the laws that are or shall be made for this purpose. Nevertheless, if the British merchants, without becoming bankrupt, refuse to pay their debts, whether to the treasury of her Imperial Majesty, or to individuals, it shall be lawful to lay an arrest upon part of their effects equivalent to their debts ; and, in case these effects should not be sufficient for discharging such debts, they may themselves be arrested and detained in custody, until such time as the greater part of their creditors, as well with respect to number, as to the value of their respective demands, have consented to their enlargement. With regard to their effects laid under arrest, they shall remain as a deposit in the hands of those who shall be named and duly authorized for that purpose, by the greater part of their creditors, as is above specified : which delegates shall be obliged to appraise the effects as soon as possible, and to make a just and fair distribution of them to all the creditors, in proportion to their respective demands. The same procedure shall, in the like cases, be observed towards the Russian merchants in the dominions of Great-Britain, and they shall be there protected agreeably to the regulations made in the preceding article.

XIX. In case of complaints and law-suits, three persons of fair and unblemished character, among the foreign merchants, shall, with a proper regard to circumstances, be

named by the college of commerce, and where there is no such college, by the magistrate, to examine the books and papers of the parties; and the report they shall make to the college of commerce, or to the magistrate, of what they shall find in the said books or papers, shall be held a good proof.

XX. The commissioners of the customs shall have the charge of examining the servants or clerks of the Russian merchants, when they cause their goods to be entered, whether they have, for that effect, the orders or full powers of the masters; and if they have not such, they shall not be credited. The same conduct shall be observed towards the servants of the British merchants; and, when the said servants, having the orders or full powers of their masters, shall cause their goods to be entered on account of their masters, these last shall be as responsible as if they themselves had caused them to be entered. All the Russian servants employed in the shops shall likewise be registered, and their masters shall answer for them in the affairs of trade, and in the bargains which they make in their name.

XXI. In case the Russian merchants, who are indebted to the British merchants, withdraw from the places of their abode to other parts or districts, the college of commerce, after complaints shall have been made to them on the subject, and proofs of the debts have been adduced, shall cite them three times, allowing them a sufficient space, to appear in person; and if they do not appear within the term prescribed, the said college shall condemn them, and shall send, at the expence of the plaintiff, an express to the governors and waywodes, with orders to put the sentence in execution, and thus shall oblige the debtors to pay the sums specified.

XXII. The brokerage shall be settled with justice; and the brokers shall be responsible for the quality of the goods and fraudulent package, and shall be obliged, after sufficient proofs produced against them, to make up the losses to which they have given occasion.

XXIII. A regulation shall be made to prevent the abuses that may be committed in the package of leather, hemp, and flax; and, if any dispute happen between the
 buyer

buyer and the feller, concerning the weight or the tare, the commissioners of the customs shall determine it according to equity.

XXIV. In order the more effectually to encourage and promote the trade of Great-Britain, it is agreed, that for the future, the English woollen cloths, hereafter specified, shall not pay any greater duties on entry, than are settled in this article; viz. English cloth for the use of the soldiery, shall pay (in rixdollars) only two copecs (or penies) for every arsheen (or $71\frac{1}{4}$ yards) as a duty on entry; coarse cloth of the county of York, known in the Russian Tariff by the name of Costrogy, shall only pay two copecs for every arsheen; broad flannel shall only pay one copec per arsheen; narrow flannel shall only pay three-fourths of a copec per arsheen, all as duties on entry. And in every thing that regards the imposts and duties payable on the importation or exportation of commodities in general, the subjects of Great-Britain shall be always considered and treated as the most favoured nation.

XXV. The peace, friendship, and good understanding shall continue for ever between the high contracting parties; and, as it is customary to fix a certain term to the duration of treaties of commerce, the above-mentioned high contracting parties have agreed, that this treaty shall continue for twenty years, counting from the day of signing; and, after the expiration of that term, they may agree upon the means to renew and prolong it.

XXVI. The present treaty of navigation and commerce shall be approved and ratified by his Britannick Majesty, and by her Imperial Majesty; and the ratifications, in due and lawful form, shall be exchanged at St. Petersburg, in the space of three month, or sooner if possible, counting from the day of signing.

In witness whereof, we the under-signed, in virtue of the full powers granted to us by his Majesty the King of Great-Britain, and by her Imperial Majesty of all the Russias, have signed the present treaty, and thereto set our seals. Done at St. Petersburg, this 20th day of June, 1766.

George Macartney, (L. S.) Nikita Panin, (L. S.)
 (L. S.) Ernest, Count Munich,
 (L. S.) Pr. A. Galitzin.
 (L. S.) Gr. Teploff.

Translation of the Declaration signed and delivered by Prince de Maserano, Ambassador Extraordinary from his Catholick Majesty, the 22d day of January 1771.

HIS Britannick Majesty having complained of the violence which was committed on the 10th of June, 1770, at the Island commonly called the Great Malouine, and by the English Falkland's Island, in obliging, by force, the commander and subjects of his Britannick Majesty to evacuate the port by them called Egmont; a step offensive to the honour of his Crown;—the Prince de Maserano, Ambassador Extraordinary of his Catholick Majesty, has received orders to declare, and declares, that his Catholick Majesty, considering the desire with which he is animated for peace, and for the maintenance of good harmony with his Britannick Majesty, and reflecting that this event might interrupt it, has seen with displeasure this expedition tending to disturb it; and in the persuasion in which he is of the reciprocity of sentiments of his Britannick Majesty, and of its being far from his intention to authorize any thing that might disturb the good understanding between the two Courts, his Catholick Majesty does disavow the said violent enterprize,—and, in consequence, the Prince de Maserano declares, that his Catholick Majesty engages to give immediate orders, that things shall be restored in the Great Malouine, at the Port called Egmont, precisely to the state in which they were before the 10th of June, 1770: For which purpose; his Catholick Majesty will give orders to one of his Officers, to deliver up to the Officer, authorized by his Britannick Majesty, the Port and Fort called Egmont, with all the artillery, stores, and effects of his Britannick Majesty, and his subjects, which were at that place the day above-named; agreeable to the inventory which has been made of them.

The Prince de Maserano declares, at the same time, in the name of the King his master, that the engagement of his said Catholick Majesty, to restore to his Britannick Majesty the possession of the Port and Fort called Egmont; cannot, nor ought, any wise to affect the question of the prior

prior right of sovereignty of the Malouine Islands, otherwise called Falkland's Islands. In witness whereof, I the underwritten Ambassador Extraordinary, have signed the present declaration with my usual signature, and caused it to be sealed with our Arms. London; the twenty-second day of January, one thousand seven hundred and seventy-one.

(L. S.)

Signed *Le Prince de Maserano*.

Translation of the Acceptance by the Earl of Rochford, in his Majesty's name, the 22d of January, 1771, of the Spanish Ambassador's Declaration of the same Date.

HIS Catholick Majesty having authorized the Prince of Maserano, his Ambassador Extraordinary, to offer, in his Majesty's name, to the King of Great Britain, a satisfaction for the injury done to his Britannick Majesty, by disposseſſing him of the Port and Fort of Port Egmont; and the said Ambassador having this day signed a declaration, which he has just delivered to me, expressing therein, that his Catholick Majesty, being desirous to restore the good harmony and friendship which before subsisted between the two Crowns, does disavow the expedition against Port Egmont, in which force has been used against his Britannick Majesty's possessions, commander, and subjects; and does also engage, that all things shall be immediately restored to the precise situation in which they stood before the 10th of June, 1770; and that his Catholick Majesty shall give orders, in consequence, to one of his Officers, to deliver up to the Officer, authorized by his Britannick Majesty, the Port and Fort of Port Egmont, as also all his Britannick Majesty's artillery, stores, and effects, as well as those of his subjects, according to the inventory which has been made of them. And the said Ambassador having moreover engaged, in his Catholick Majesty's name, that what is contained in the said declaration shall be carried into effect by his said Catholick Majesty, and that duplicates of his Catholick Majesty's orders to his Officers shall be delivered into the hands of one of his Britannick Majesty's Principal Secretaries of State, within six weeks; his said Bri-

tannick

Britannick Majesty, in order to shew the same friendly dispositions on his part, has authorised me to declare, that he will look upon the said declaration of the Prince de Maserano, together with the full performance of the said engagement, on the part of his Catholick Majesty, as a satisfaction for the injury done to the Crown of Great-Britain. In witness whereof, I underwritten, one of his Britannick Majesty's Principal Secretaries of State, have signed these presents with my usual signature, and caused them to be sealed with our Arms. London, the 22d day of January 1771.

(L. S.)

Signed *Rochford.*

Translation of his Catholick Majesty's Orders, signified by the Balio Fray Don Julian de Arriaga, to Don Philip Ruez Puente, dated Pardo, 7th of February 1771.

IT being agreed between the King and his Britannick Majesty by a convention signed at London on the 22d of January last past, by the Prince of Maserano and the Earl of Rochford, that the Great Malouine, called by the English Falkland Island, should be immediately replaced in the precise situation in which it was before it was evacuated by them on the 10th of June last year; I signify to you, by the King's order, that as soon as the person commissioned by the Court of London shall present himself to you with this, your order the delivery of the Port de la Crusada or Egmont, and its fort and dependencies, to be effected; as also that of all the artillery, ammunition, and effects, that were found there, belonging to his Britannick Majesty and his subjects, according to the inventories signed by George Farmer and William Maltby, Esqrs. on the 11th of July of the said year, at the time of their quitting the same, of which I send you the enclosed copies, authenticated under my hand; and that as soon as the one and the other shall be effected, with the due formalities, you cause to retire immediately the officer, and other subjects of the King, which may be there. God preserve you many years.

Pardo, 7th Feb. 1771.

Signed

*The Balio Fray Don Julian de Arriaga.
To Don Philip Ruez Puente.*

By an accident of the Press the following Treaty was omitted in its proper place.

Copy of the defensive Treaty with Portugal, 12th of July,
1703.

ANNA Dei gratiâ, &c. Omnibus et singulis, ad quos præsentis literæ pervenerint, salutem. Cum perpetuum fœdus defensivum inter nostros et dominorum ordinum generalium uniti Belgij ab unâ parte, et regis Portugalliæ plenipotentiariorum ab alterâ, Olysiþone, die 16 Maij præteriti, articulis et verbis sequentibus, conclusum et signatum fuerit.

Cum serenissimis ac potentissimis regibus regniſque Britanniæ et Portugalliæ, nec non celsis ac præpotentibus dominis ordinibus generalibus fœderatarum Belgij provinciarum, eorumque subditis, mutuâ commoda accidant ex pace bonâque amicitîâ, quæ inter prædictas tres potentias intercedit; idque postulet, ut illa pax non solum illibata fervetur, sed etiam firmioribus et arctioribus vinculis stabilatur, unde manare potest in Europam certior pacis et tranquillitatis securitas, cui prædictæ potentiæ pro virili parte prospicere student; ad commune omnium bonum, perpetuum inter se fœdus inire decreverunt, eâque de causâ plenipotentias suas et mandata dederunt; serenissima scilicet ac potentissima princeps domina Anna dei gratiâ Magnæ Britanniæ Franciæ & Hiberniæ Regina, &c. Domino Paulo Methuen armigero, et legato suo extraordinario in Lusitaniâ; serenissimus ac potentissimus princeps dominus Petrus Dei gratiâ Rex Portugalliæ et Algarbiorum citra, et ultra mare in Africa, Dominus Guineæ, & conquestionis, navigationis & commercij Æthiopæ, Arabiæ, Persiæ, Indiæque, &c. Domino Nonio de Metto Alvares Pereira consanguineo suo carissimo, Duci de Cadaval, Marchioni de Ferreira, &c. Domino Emmanuelli Felles de Silva, Marchioni de Algrete, &c. Domino Francisco de Tavora, Comiti de Alvor, &c. Domino Regno Monteiro, Domino de Alva, &c. et Domino Josepho de Farria, regni historiographo maximo; celsi ac præpotentes Domini ordines Generales fœderatarum Belgij Provinciarum, Domino
Francisc

Francisco Schonemberg: Qui quidem plenipotentiarum, virtute prædictarum plenipotentiarum (quæ, priusquam huic tractatui subscriberetur, commutatæ sunt, cum antea perpensæ fuissent et pro legitimis ac sufficientibus habitæ essent) re diligenter matureque inter se deliberatâ, dominorum suorum supra memoratorum nomine, in capita five articulos sequentes convenerunt et consenserunt.

Art. I. Imprimis, probantur, confirmantur et rati habentur tractatus initi inter prædictas potentias, ut exactè integrèque serventur, exceptis de quibus aliter hoc fœdere cavetur et statuitur; ita ut inter ipsa regna et status eorum, populos, et subditos vera vigeat amicitia, fidaque conjunctio animorum, ac se mutuo omnes juvent unaquæque dictarum potentiarum, commoda et utilitates aliarum sociarum non aliter quam sua ipsius provenientes.

II. Siquando eveniat ut reges Hispaniæ et Galliæ, tam præsentibus quam futuri, uterlibetve eorum, velint, aut eos velle suspicio sit, bellum inferre regno Lusitanæ in ipsius continente aut in ejus transmarinis provinciis, quicumque in sint reges, sacra regia Majestas Magnæ Britanniæ, et domini ordines generales, à dictis regibus aut eorum quovis amicè contendunt, ut pacis fœdera Lusitanæ servent, aut servet, neque ei bellum, inferant aut inferat.

III. His vero officiis non proficientibus sed in irritum cadentibus, ita ut à prædictis regibus aut eorum quolibet bellum Lusitanæ inferatur, prædictæ potentiæ Britannica et Belgica universis viribus suis bellum inferent prædictis regibus aut regi, qui infesta arma Lusitanæ intulerit, atque ad id bellum, quod in regni continente geretur, suppeditabunt duodecim millia militum, quos armabunt eisque solvent quidquid illis opus fuerit tam ad stipendia quæ in stativis merebunt quam extra ipsa; ipsique domini fœderati eum militum numerum integrum habere tenebuntur, supplementa subinde suo ære submittentes.

IV. Atque hoc etiam casu, prædictæ potentiæ Britannica et Belgica tenebuntur habere et conservare, in orâ maritimâ Lusitanæ et portibus ejus, competentem navium bellicarum numerum, ad ipsam oram portusque tuto ab hostili vi defendendos, commerciumque et classes emporicas ita ut; comperto vel intellecto posse Portus ipsos et classes prædictas, majore vi hostili invadi, teneantur iidem
domini

domini foederati, priusquam casus ejus invasionis eveniat, eum bellicarum navium numerum in Lusitaniam mittere, qui par sit atque etiam superior navibus virribusque hostium, qui portus aut classes praedictas invadere meditantur.

V. Quod si praedicti Hispaniae et Galliae reges, aut eorum utervis, in transmarinis Lusitanorum provinciis aut ditionibus bellum inferant, aut id eos meditari sacra regia majestas cognoverit, praedictae potentiae Britannica et Belgica sacrae regiae majestati Lusitaniae tantum bellicarum navium praebebunt, quantum par competensque fuerit ad hostiles naves atque etiam superius; ita ut illis non solum possit obsisti, sed id etiam bellum aut irruptio impediri, quamdiu bellum duraverit, et occasio postulaverit. Si vero hostes iliquod oppidum ceperint, locumve occupaverint quem muniant, in praedictis transmarinis provinciis et ditionibus, haec auxilia continuabunt donec integre recuperetur id oppidum aut locus, plurave oppida et loci, si capta fuerint.

VI. Omnes haec auxiliaries naves sacrae regiae majestatis Lusitaniae imperiis subditae erunt, ut ea agant quae imperatur fuerint ab ipsa majestate: quod si in provincias transmarinas, Lusitanorumque ditiones proficiscuntur, ea etiam agent quae sacrae regiae majestatis nomine per proreges ejus et gubernatores ipsis injuncta fuerint.

VII. Cum vero haec naves auxiliaries duarum potentiarum Britannicae scilicet et Belgicae cum Lusitanis navibus conjungentur (quibus casibus opitulari eis debent) praefector classis naviumque Lusitanarum, cui jus ferendi sit vexilli, signa dabit, et ad bellicum concilium convocabit, quod in ipsa Lusitanâ praetoria habebitur, et per ipsum classis Lusitanarumque navium perfectum expedientur imperia ad exequenda ea quae in concilio deliberata fuerint; quae quidem ipsi praefecti auxiliarium navium exequentur, uniusquisque suis navibus.

VIII. Quod si quando trium foederatarum nationum naves conjungentur, ad aliquid aggrediendum quod communiter omnium foederatorum interfit, praefectus cui ferendi vexilli jus fuerit, pluresque suae gentis naves fuerint attributae, is jure et prerogativa superiore capite proposita fruetur, signa nempe dandi, in concilium convocandi suam

ad prætoriam, cæterarumque rerum prout superius est propositum.

IX. Duodecim millia militum, quæ potentiaë Britannica & Belgica sacraë regiae majestati Lusitaniaë in auxilium debent mittere, alere de suis, complereque subinde quamdiu bellum duraverit, prout hujus fœderis capite sive articulo tertio continetur, subjecta erunt non solum sacraë regiae majestatis supremis imperiis, sed etiam præfectorum ejus sive generalium, atque etiam officialium qui ob munus quod obierint ipsis superiores fuerint. Cæterum ob rupta imperia, crimina et flagitia quæ committant, per præfectos seu generales exercitus sui plectentur, ut plectuntur more militari ipsimet Lusitani, maxime propter ea quæ ad violationem rerum ad religionem spectantium pertinent.

X. Domini fœderati omnimodam facultatem, auxilium, et ejumentum præbebunt sacraë regiae majestatis redemptoribus casu superius memorato, ut extrahere possint ex portibus terrisque eorum nitratum pulverem, tela, arma,annonam omnis generis, ceteraque belli instrumenta, et apparatus tam maritimos quam terrestres, quæ ab ipsis desiderabuntur; idque eisdem pretiis quibus ea suum in usum comparare consueverint iidem domini fœderati, et absque ullâ pretii immutatione.

XI. Si quando eveniat ut reges Hispaniaë et Galliaë, aut uter libet eorum, velint bellum inferre regno Magnæ Britanniaë aut Belgio fœderato, sacra regia majestas Lusitaniaë à dictis regibus aut eorum quovis amice contendet, ut pacis fœdera servant prædicto Magnæ Britanniaë regno, Belgioque fœderato.

XII. His vero officiis non proficientibus et in irritum cadentibus, ita ut à prædictis regibus aut eorum quolibet regno Magnæ Britanniaë fœderatove Belgio bellum inferatur; sacra regia majestas Lusitaniaë pariter tenebitur cum universis viribus suis bellum inferere prædictis regibus aut eorum cuilibet; atque hoc etiam casu prædictæ duæ potentiaë Magnæ Britanniaë et fœderati Belgij eadem ei suppeditabunt auxilia militum et navium quæ in capitibus sive articulis antecedentibus pacta sunt ad eum casum quo reges Galliaë et Hispaniaë, aut eorum uterlibet, bellum Lusitaniaë intulerit, eaque omnia eodem modo qui in ipsis proponitur.

XIII. Tam

XIII. Tam primo quam secundo casu belli gerendi, sacra regia majestas Lusitanicæ tenebitur decem habere bellicas naves defensionis suæ causâ dominorumque fœderatorum; cum eo tamen ut Hispanis Gallisque simul bellum in dominos fœderatos inferentibus, aut Hispanis tantum, eo casu decem Bellicæ naves sacrae regiae majestatis Lusitanicæ ab orâ Lusitanicæ abscedere non teneantur, quod in eâ versantes ad distrahendas hostium vires plurimum proficient: si vero per Gallos tantum bellum fuerit illatum, licebit Lusitanas naves dominis fœderatis opitulari cum eorum classibus conjunctas.

XIV. Neque pax neque induciæ fient nisi communi trium fœderatorum consensu; atque hoc fœdus erit perpetuum, nullis temporum spatius definitum.

XV. Privilegiis personarum et commerciorum libertate quibus in præsentî Britanni Belgæque fœderati in Lusitaniâ fruuntur, invicem etiâ Lusitani fruuntur in regnis coronæ Britannicæ, Belgioque fœderato.

XVI. Si ex tabulis fœderis, in quo de bombaino inter Lusitanicæ et Britannicæ coronas conventum est, cognitum fuerit, alterutram partem aut excessisse aut non implevisse modum ejus conventionis, omnia ad vim illius exigentur.

XVII. Lusitanicæ naves non tenebuntur quidquam solvere pro jaciendis anchoris in portu Malacensi, si cæteræ Europæ nationes id solvere non teneantur.

XVIII. Piratica navigia cujuscunque nationis non solum non admittentur recipienturvé in portus, quos sacrae regiae majestates Lusitanicæ et Britannicæ dominique generales ordines fœderati Belgij habent in Orientali India; sed etiam pro communibus hostibus habebuntur Lusitanorum, Britannorum, et Belgarum fœderatorum.

XIX. Pacis tempore admittentur in portus majores regni Lusitanicæ sex naves bellicæ utriusque nationis Britannicæ Belgicæque fœderatæ, præter alias sex naves quæ vi superiorum fœderum mittebantur; ut in universum duodecim naves admitti possint, omnesque eo ipso modo, quo priores sex mittebantur. In minores vero portus is navium numerus admittetur qui ad eorum vires et capacitatem competens sit.

XX. Ipsi plenipotentiarii spondent supra memoratos dominos suos ratihabituos hunc tractatum legitimâ et debita
formâ,

formâ, ratificationesque ejus in hâc urbe regiâ Olyfiponenfi commutandas intra trium mensium spatium a subscriptione ejus numerandorum.

In quorum omnium fidem ac testimonium nos supra memorati plenipotentarii sacræ regiæ majestatis Magnæ Britanniæ, et cælorum ac prepotentium dominorum ordinum generalium fœderati Belgij, hoc instrumentum manibus nostris subscripsimus, appositisque insignium nostrorum sigillis munivimus. Ipsi vero sacræ regiæ majestatis Lusitaniæ plenipotentarii, vitandæ controversiæ causâ [quæ est de loci prærogativâ inter coronas Britannicam et Lusitanam, pro more consuetudineque inter utramque coronam observatâ, separatim alia instrumenta ejusdem tenoris, commutatis tantummodo quæ ejus rei ergo commutanda erant, subscriptionibus suis et sigillis appositis munierunt. Olyfipone Die 16 Majj Anno Domini 1703.

(L. S.) *Paulus Methuen.* (L. S.) *Schonemberg.*

Nos, viso et perpenso præfato præpetuo fœdere defensivo, idem in omnibus et singulis sui articulis et clausulis, approbavimus, et ratum firmumque habuimus; sicut, per præsentés, pro nobis, hæredibus, et successoribus nostris, approbamus, et ratum firmumque habemus. Spondentes verboque regio promittentes, nos omnia, quæ in prædicto fœdere continentur, sincerè et bonâ fide præstituras et observaturas, neque passuras, quantum in nobis est, ut a quopiam violentur aut diminuantur. In quorum majorem fidem et robur hisce præsentibus, manu nostrâ regiâ signatis, magnum nostrum Anglæ sigillum apponi jussimus. Quæ debantur in arcè nostrâ regiâ Windesoriensi 12 die mensis Julii Anno Domini 1703 regni que nostri secundo.

A N N A R.

T R A N S L A T I O N.

ANNE, by the grace of God, &c. To all and every one, to whom these presents may come, greeting.

Whereas

Whereas a perpetual defensive alliance, in the words and articles following, was, on the 16th of May last, concluded and signed at Lisbon, between our plenipotentiaries and those of the Lords the States-general of the United Provinces on the one hand, and those of the King of Portugal on the other: And whereas many mutual advantages accrue to the most serene and most potent kings and kingdoms of Great-Britain and Portugal, and to the high and mighty lords the states-general of the United Provinces, and their subjects, from the peace and good friendship, which subsists between the three foresaid powers: And whereas it is necessary, that that peace be not only preserved inviolate, but be likewise strengthened by firmer and closer ties, by which a stronger foundation may be laid for maintaining the general peace and tranquillity of Europe, which the above-said powers endeavour, with all their might, to support: they have therefore, for the common good of all, resolved to enter into a mutual alliance; and for that purpose have granted their full powers and instructions, viz. the most serene and most potent Princess, Anne, by the Grace of God, Queen of Great-Britain, France, and Ireland, to Paul Methuen, Esq; her Ambassador Extraordinary in Portugal; the most serene and most potent Prince, Peter, by the grace of God, King of Portugal and the Algarves on this side; and beyond the seas in Africa, Lord of Guiney, and of the conquest, navigation, and commerce of Ethiopia, Arabia, Persia, India, &c. to Don Nonio de Metto Alvares Pereira, his near kinsman, Duke of Cadaval, Marquis of Ferreira, &c. to Don Emmanuel Felles de Silva, Marquis of Alegrete, &c. to Don Francisco de Tavora, Count of Alvor, &c. to Don Regno Monterio, Lord of Alva, &c. and to Don Joseph de Farria great historiographer of the kingdom; and the high and mighty lords the states general of the united provinces, to Van Francis Schonemberg: which plenipotentiaries, by virtue of the above-said full powers (which, before the signing of this treaty, were mutually exchanged, examined, and admitted) after maturely and deliberately weighing the matter, have, in the name of their above-mentioned sovereigns, agreed and consented to the following terms and articles.

Art. I. All former treaties between the above-said powers, are hereby approved, confirmed, and ratified, and are ordered to be exactly and faithfully observed, except in so far as by the present treaty is otherwise provided and established; so that there shall be between the said kingdoms and states, their people and subjects, a sincere friendship and perfect amity: They shall, all of them, mutually assist one another; and each of the said powers shall promote the interest and advantage of the rest, as if it were his own.

II. If ever it shall happen, that the Kings of Spain and France; either the present or future; that both of them together, or either of them separately, shall make war, or give occasion to suspect that they intend to make war, upon the kingdom of Portugal, either on the continent of Europe, or in its dominions beyond seas; her Majesty, the Queen of Great-Britain; and the Lords, the States-general, shall use their friendly offices with the said Kings, or either of them, in order to persuade them to observe the terms of peace towards Portugal, and not to make war upon it.

III. But these good offices not proving successful, but altogether ineffectual, so that war shall be made by the aforesaid Kings, or by either of them, upon Portugal, the above-mentioned powers of Great-Britain and Holland, shall make war, with all their force, upon the foresaid Kings or King, who shall carry hostile arms into Portugal; and towards that war which shall be carried on in Europe, they shall supply twelve thousand men, whom they shall arm and pay, as well when in quarters, as in action; and the said high allies shall be obliged to keep that number of men complete, by recruiting it from time to time at their own expence.

IV. And in this case also, the aforesaid powers of Great-Britain and Holland, shall be obliged to keep and maintain upon the coast of Portugal, and in its harbours, a competent number of men of war, to defend the said coasts and harbours, the trade and merchant-ships, from all hostile attempts; so that if it shall appear, that the said harbours and ships are in danger of being attacked with a greater force by the enemy, the said high allies shall be obliged

obliged to send to Portugal such a number of men of war as shall be equal, or even superior, to the ships and force of the enemy, who shall meditate an attack upon the above-said ships and harbours.

V. But if the foresaid Kings of Spain and France, or either of them, shall make war, or give occasion to suspect that they intend to make war, upon the provinces or dominions of Portugal beyond seas, the above-mentioned powers of Great-Britain and Holland, shall furnish to his Portuguese Majesty such a number of men of war, as shall be equal, or even superior, to the ships of the enemy; so that he may be able not only to oppose them, but even to prevent such attack or invasion, as long as the war shall last, or occasion require. And if the enemy shall take any town, or seize any place which they may fortify, in the foresaid provinces and dominions beyond seas, these succours shall continue until such town or place be fully recovered, or more towns and places, if more should be taken.

VI. All these auxiliary ships shall be subject to the command of his Portuguese Majesty, so that they shall perform whatever shall be enjoined by his said Majesty; and if they should sail to the Portuguese provinces and dominions beyond seas, they shall there likewise perform whatever shall be enjoined them, in the name of his Majesty, by his viceroys and governors.

VII. When these auxiliary ships of the two powers of Great-Britain and Holland shall be joined with the Portuguese ships (in which case they must always assist them) the admiral of the Portuguese fleet, who has the right of carrying the flag, shall give signals, and summon to a council of war, which shall be held in his own cabin; and the same admiral of the Portuguese fleet shall issue the necessary orders for executing those points, which shall have been resolved upon in the council of war; which points the admirals of the auxiliary ships shall execute, each with his own ships.

VIII. But if, at any time, the ships of the three allied nations shall be conjoined in order to attempt any thing, in which all the allies are equally interested, the admiral, who has the right of carrying the flag, and has under his

command the greatest numbers of ships of his own nation, shall enjoy the right and privilege mentioned in the former article, viz. of giving signals, of summoning to a council of war in his own cabin, and of doing every other thing requisite, as is above specified.

IX. The twelve thousand men, which the powers of Great-Britain and Holland are bound to furnish to his Portuguese Majesty, and to maintain at their own expence, and occasionally recruit, during the continuance of the war, as stipulated in the third article of this treaty, shall be subject, not only to the supreme command of his Portuguese Majesty, but also to that of his commanders or generals, and even of such of his officers, as by their rank in the army are superior to them. But for breach of orders, and for the crimes and enormities of which they shall be guilty, they shall be punished by the commanders or generals of their own army, in the same manner as the Portuguese themselves are punished by martial law, especially for those crimes which regard the violation of religion.

X. The high allies shall, in the case above-mentioned, grant full liberty, and all kind of aid and assistance to the commissaries of his Portuguese Majesty, to export from their territories and harbours, all sorts of military stores, such as powder, balls, arms, corn, and every other kind of ammunition, that shall be desired of them, as well belonging to the sea as the land service; and that too at the same price as the said high allies are wont to purchase them for their own use, and without the least alteration in the charge.

XI. If ever it should happen that the Kings of Spain and France, or either of them, should make war upon the kingdom of Great Britain, or the States of the United Provinces, his Majesty the King of Portugal shall use his friendly offices with the said Kings, or with either of them, in order to persuade them to observe the terms of peace towards the foresaid kingdom of Great Britain, and the States of the United Provinces.

XII. But these good offices not proving successful, but altogether ineffectual, so that war shall be made by the foresaid Kings, or by either of them, upon the kingdom of Great Britain, or the States of the United Provinces; his Majesty,

Majesty, the King of Portugal, shall, in like manner, be bound to make war, with all his force, upon the foresaid Kings, or upon either of them: and in this case likewise the foresaid two powers of Great Britain, and the States of the United Provinces, shall furnish him with the same succours of men and ships, as in the preceding articles are stipulated, in case the Kings of France or Spain, or either of them, should make war upon Portugal, and every thing shall be executed in the manner there specified.

XIII. As well in the first, as in the second manner of carrying on the war, his Majesty the King of Portugal, shall be bound to maintain ten ships of war for his own defence, and that of his allies; with this proviso, however, that if both the Spaniards and the French, or the Spaniards only, should make war upon the high allies, in that case, the ten ships of war of his Portuguese Majesty, shall not be bound to depart from the coast of Portugal, because, while in that station, they will be of very great use in dividing the force of the enemy: but if war should be made by the French only, it shall then be lawful for the Portuguese ships to assist the high allies, in conjunction with their own fleets.

XIV. No peace nor truce shall be made, but by the common consent of the three allies; and this league shall be perpetual and eternal.

XV. The personal privileges and freedom of trade, which the subjects of Great Britain, and the States of the United Provinces, at present enjoy in Portugal, the Portuguese shall, in their turn, enjoy in the dominions of Great Britain and the States of the United Provinces.

XVI. If from the copies of the treaty, in which an agreement was made concerning Bombay, between the crowns of Portugal and Britain, it should appear, that either party has transgressed, or not fulfilled the terms of that convention, every thing shall be regulated according to the spirit of the said treaty.

XVII. Portuguese ships shall not be obliged to pay any thing for casting anchor in the port of Mallacca, unless the other nations of Europe are obliged to do the same.

XVIII. Pira-

XVIII. Piratical ships, of whatever nation, shall not only not be permitted or received into the ports which their Portuguese and Britannick Majesties, and the States-General of the United Provinces, possess in the East Indies, but shall be deemed the common enemies of the Portuguese, the English, and the Dutch.

XIX. In time of peace, there shall be admitted into the greater ports of the kingdom of Portugal, six ships of war of each of the nations of Great-Britain, and the United Provinces, besides other six ships, which were permitted by virtue of former treaties; so that in the whole, twelve ships may be admitted, and all in the same manner as the former six were permitted. And into the lesser ports, there shall be admitted such a number of ships as they can conveniently receive.

XX. The said plenipotentiaries promise, that their above-mentioned sovereigns shall ratify this treaty, in due and lawful form; and that the ratifications shall be exchanged in this royal city of Lisbon, within the space of three months, counting from the time of subscribing.

In witness whereof, we the above named Plenipotentiaries of her Majesty, the Queen of Great Britain, and of the high and mighty Lords the States-general of the United Provinces, have signed this instrument, and thereto set our seals. And the plenipotentiaries of his Portuguese Majesty, in order to avoid the controversy that subsists concerning the prerogative of the place between the crowns of Great Britain and Portugal, have, agreeable to the manner and custom observed between the two Crowns, separately signed and sealed another instrument of the same tenor, changing only those particulars, which on account of this circumstance, were to be changed.

Lisbon, May 16,

1703.

(L. S.) *Paul Methuen.*

(L. S.) *Schonemberg.*

Ratified by the Queen at Windsor, on the 12th of July, 1703.

F I N I S











